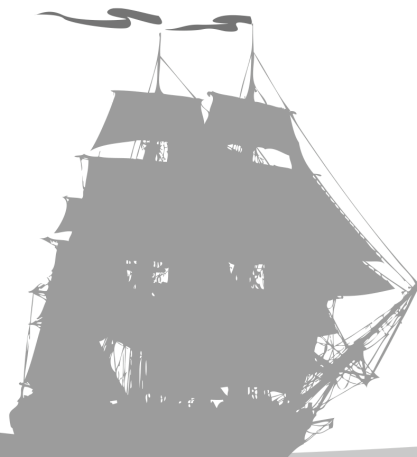




**Agenda and Programme of the
National Congress
Sydney, 25-26 July 2015**



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1 Agenda

The agenda is subject to modification before and during the National Congress, however events will follow as closely as possible the agenda as announced.

Day 1: Saturday, 25 July 2015

- 09:00** Set up!
- 10:00** President opens Congress
- 10:10** Housekeeping
- 10:15** Adoption of standing orders
- 10:20** Outgoing National Council reports
- 11:00** 10 minute break
- 11:10** Constitutional amendment proposals, formal motions, and policy motions
- 13:00** Lunch
- 14:00** Motions (continued)
- 16:00** Close of Day 1

Day 2: Sunday, 26 July 2015

- 09:00** Set up!
- 10:00** Housekeeping and opening
- 10:05** Standing orders
- 10:10** Nominations for the National Council and other officer positions
- 11:30** Motions (continued from Day 1)
- 13:00** Lunch
- 14:00** Motions (continued)
- 15:00** Discussion space
- 16:45** Location of the next National Congress
- 17:00** Close of Day 2

Voting period

In accordance with article 6.4 of the Party Constitution, some elements of the National Congress are required to be put to a final vote using an online voting system. The period for online voting must be at least seven days, and all ballots are valid provided they are cast during this period.

All constitutional, platform and policy amendments; position statements; other documentation that guides party position or direction; party mergers and formal affiliations and disaffiliations; National Council and officer elections; and preselection of candidates (when applicable) will be decided by this online voting period.

2 Constitutional amendment proposals

CAP-0 Raising the quorum for constitutional amendments

Put by: Constitutionally required.

MOTION

Do you agree to raise the quorum by 2%, to 20%?

RATIONALE

As per Article 9.1(3) of the Party Constitution, members must vote on whether to raise the quorum for constitutional amendments by 2%, from 18% to 20%. At the previous Congress (July 2014) the quorum was raised by 2% from 16% to 18%.

CAP-1 Principles Grammar

Put by: David Crafti.

MOTION

Principles ["Principles & Objects of the Party"]:

Paragraph 3, sentence 1: Change "International" to "international"

RATIONALE

International should be de-capitalised in order to use the word as an adjective, rather than make it sound like part of an official name.

CAP-2 Articles Grammar A

Put by: David Crafti.

MOTION

Article 2(2) ["Structure & Composition"]:

Change "comprised" to "composed"

RATIONALE

"Be composed of" is equivalent, in this context to "comprise", so "be comprised of" should be changed to one or the other.

CAP-3 Articles Grammar B

Put by: David Crafti.

MOTION

Article 2(2) ["Structure & Composition"]:

Change "formally elected" to "formally elected, or appointed in the case of the party agent,".

RATIONALE

The party agent is intended to be a member of the National Council, yet they are not formally elected, due to being appointed by the other National Council members to fulfil the AEC's role of Registered Officer.

CAP-4A National Council Minutes Quorum

Put by: David Crafti.

MOTION

Article 3.1(4) ["Quorum and Majorities"]:

Change:

Constitutional Amendment Proposal Text
<ul style="list-style-type: none">• The quorum for any motion to accept the minutes of a previous meeting is set at the number of Councillors who attended that meeting. All Councillors absent from the previous meeting abstain by default.

to:

Constitutional Amendment Proposal Text
<ul style="list-style-type: none">• The quorum for any motion to accept the minutes of a previous meeting is set at the minimum to achieve a two-thirds majority of those present. All Councillors absent from the previous meeting abstain by default.

RATIONALE

It is currently possible, and even easy, to be in a situation where the National Council cannot accept the minutes of a previous meeting. For example:

Meeting 1: All Councillors attend

Meeting 2: One Councillor does not attend the next meeting

Quorum cannot be met to accept the minutes of the previous meeting.

This has probably happened in the past.

Requiring 2/3 of the previous meeting's Councillors instead of 100% of them gives some leeway in case of absenteeism. Flexibility that could potentially lead to a dispute about the minutes is preferable to an inability to accept minutes at all. The DRC can help resolve the former, but not the latter.

It's worth noting that there is still ambiguity regarding "absent" in the case of a change of councillor between meetings.

Note: The text of this proposal needs to be modified to avoid ambiguity. Where it says "of those present" in the proposed text, it should say "of those present at the previous meeting". This will need to be discussed and amended on the floor due to the deadline for Constitutional Amendments having expired.

CAP-4B National Council Minutes Quorum

Put by: David Crafti.

MOTION

Article 3.1(4) ["Quorum and Majorities"]:

Change:

Constitutional Amendment Proposal Text
<ul style="list-style-type: none">• The quorum for any motion to accept the minutes of a previous meeting is set at the number of Councillors who attended that meeting. All Councillors absent from the previous meeting abstain by default.

to:

Constitutional Amendment Proposal Text
<ul style="list-style-type: none">• The quorum for any motion to accept the minutes of a previous meeting is set at the quorum to open the next meeting.

RATIONALE

It is currently possible, and even easy, to be in a situation where the National Council cannot accept the minutes of a previous meeting. For example:

Meeting 1: All Councillors attend

Meeting 2: One Councillor does not attend the next meeting

Quorum cannot be met to accept the minutes of the previous meeting.

This has probably happened in the past.

This merely simplifies the process to enable a valid National Council meeting to vote on the minutes of the previous meeting, without even mentioning abstention for those not previously present. This amendment is intended to be an alternative to above that maintains extra flexibility, though there is risk involved in allowing Councillors to vote on the validity of minutes for a meeting at which they weren't present.

CAP-5 Articles Grammar C

Put by: David Crafti.

MOTION

Article 4.1(4) ["Eligibility"]:

Change:

Constitutional Amendment Proposal Text
<ul style="list-style-type: none">• The National Council may at its discretion opt to waive membership fees on a case-by-case basis.

to:

Constitutional Amendment Proposal Text
<ul style="list-style-type: none">• The National Council may at its discretion opt to waive applicable membership fees on a case-by-case basis.

RATIONALE

Rationale not provided.

CAP-6 Articles Grammar D

Put by: David Crafti.

MOTION

Article 4.2.1(1)(e) ["Full Membership"]:

Change:

Constitutional Amendment Proposal Text
<ul style="list-style-type: none">• Participate in working groups defined by the National Council or any organ of the Party; and

to:

Constitutional Amendment Proposal Text
<ul style="list-style-type: none">• Participate in working groups defined by the National Council or any organ of the Party, according to eligibility criteria specifiable in the working group's terms of reference; and

RATIONALE

This makes it clearer that the body that sets the terms of reference for a working group (usually the National Council) is able to set special conditions on participation in a working group. There could be legitimate reasons for this flexibility in the National Council's powers, and the DRC can be engaged if a member disputes the legitimacy of the restriction.

CAP-7 Articles Grammar E

Put by: David Crafti.

MOTION

Article 9.4(3) ["Operational and Temporary Amendments"]:

Change:

Constitutional Amendment Proposal Text
<ul style="list-style-type: none">• If such an amendment does not receive the necessary majority as stipulated at Article 9.1, then such a proposed amendment will lapse and may only be resurrected by a majority vote of the members at a National Congress.

to:

Constitutional Amendment Proposal Text
<ul style="list-style-type: none">• If such an amendment does not receive the necessary majority as stipulated at Article 9.1, then such a proposed amendment will lapse and the National Council may not use their powers to resurrect the provisions again without an amendment proposal being put to the National Congress.

RATIONALE

This makes it clearer that if the National Congress disallows the continuation of a temporary constitutional amendment, then the National Council are not allowed to pass a subsequent temporary amendment with an equivalent effect.

CAP-8 Articles Grammar F

Put by: David Crafti.

MOTION

Article 10.1(5) ["Election"]:

Change:

Constitutional Amendment Proposal Text
<ul style="list-style-type: none">• No more than one National Council position may be filled by one member, except in cases where a position is subject to a temporary vacancy and pending a permanent appointment.

to:

Constitutional Amendment Proposal Text
<ul style="list-style-type: none">• No more than one National Council position may be filled by one member, except in cases where a position is subject to a temporary vacancy and pending a permanent appointment. In any case, no member of the National Council may cast more than one vote in any motion before the National Council.

RATIONALE

As the constitution allows, in limited circumstances, a single Councillor to fulfil multiple National Council positions, this amendment makes it clear that a Councillor in that situation is not able to cast multiple votes.

CAP-9 Remove legal binding provisions

Put by: David Crafti.

MOTION

- Remove Article 11(2) ["Constitution Not Enforceable in Law"].
- Article 11(3):

Change:

Constitutional Amendment Proposal Text
<ul style="list-style-type: none">• Without limiting Article 11(2), it is further expressly intended

to:

Constitutional Amendment Proposal Text
<ul style="list-style-type: none">• It is expressly intended

Change numbering of Article 11(3) and (4) to (2) and (3)

RATIONALE

This article already expresses an intent for disputes to be resolved within the party. There is no justification, however, to claim that anything done under the Constitution is not legally binding, particularly when it allows interactions with third parties who have nothing to do with our Constitution.

CAP-10 Dispute Resolution Committee term clarification

Put by: David Crafti.

MOTION

Article 12(1) ["Dispute Resolution Committee"]:

Add 12(1)(a):

Constitutional Amendment Proposal Text
<ul style="list-style-type: none">• If any committee members, elected at a previous Congress, have not completed serving their term by the end of the congress, their position will not be considered up for reelection, and the number of members to be elected will be reduced accordingly.

RATIONALE

As DRC member terms are for 2 years and can overlap, the current wording contains an inconsistency that makes it unclear if 3 members of the DRC should be elected at each National Congress, or if enough people should be elected to bring the total number of serving members up to 3. The new wording explicitly makes it clear that the latter case is intended.

CAP-11 DRC referral protection

Put by: David Crafti.

MOTION

Article 12(5) ["Dispute Resolution Committee"]:

Add 12(5)(a):

Constitutional Amendment Proposal Text
<ul style="list-style-type: none">• This section does not apply if a policy or bylaw that would prevent referral to the DRC is the policy or bylaw being disputed.

RATIONALE

This needs to be made explicit because 2(5) only says that the NC cannot overrule the DRC, but does not preclude the NC stopping referral to the DRC.

CAP-12 Fundamental rewrite of principles

Put by: David Crafti.

MOTION

Principles, paragraph 2, sentence 2 [“Principles & Objects of the Party”]:

Change:

Constitutional Amendment Proposal Text
<ul style="list-style-type: none">• Overbearing and restrictive private monopolies constructed via regimes of antiquated, unfair and unbalanced laws which prevent the free development of culture and ideas are detrimental to financial, economic and cultural outcomes for the citizens of Australia

to:

Constitutional Amendment Proposal Text
<ul style="list-style-type: none">• Effective competition is essential to ensure the development of our financial, economic and cultural values. Uncompetitive business practices shall not be permitted to impair the development of free culture and ideas.

RATIONALE

The proposed wording contains substantially similar meaning, but is easier to understand. The current wording is a mouthful, where it's easy to forget the start of the sentence by the time the end of the sentence is reached.

CAP-13 Incorporate by-law 2013-03

Put by: David Crafti.

MOTION

Incorporate by-law 2013-03, by modifying Article 9.1 explicitly ["By-law 2013-03 - Constitutional Amendments"] ["Amendments"]

RATIONALE

By-laws are harder to find for a normal member, which decreases transparency. If the membership believes this should be in the constitution, then it should be in there, beyond the power of the National Council to revoke. On the other hand, if the membership decides that the National Council should be able to revoke the by-law, then they should vote No to this amendment.

CAP-13 Amendment A: Incorporate by-law 2013-03

Put by: Brendan Molloy.

MOTION

- Repeal By-law 2013-01 ["By-law 2013-03 - Constitutional Amendments"].
- Substitute Article 9.1(2) ["Amendments"] with:

Constitutional Amendment Proposal Text
<ul style="list-style-type: none">• Any proposals for amendments must be notified by email to the members by 11:59pm AEST of the 28th day before the first day of the National Congress.• Article 9.1(2) can be fulfilled by placement of the proposals at a specified place on the Party website or wiki before the specified deadline and informing the membership of their location.

- Insert paragraph at end of Article 9.1:

Constitutional Amendment Proposal Text
<ul style="list-style-type: none">• New proposals may not be added after the deadline specified in Article 9.1(2), but already proposed amendments may be modified by the proposer prior to the National Congress, so long as:<ul style="list-style-type: none">• These modifications do not substantially change the proposed amendments but may include updates in wording for clarity, or to correct errors; and• These modifications are recorded and justified.

RATIONALE

By-laws aren't written in such a way as to just be slotted into the Constitution verbatim, so this motion is invalid unless this amendment is accepted.

CAP-14 Multiple party membership

Put by: David Crafti.

MOTION

Article 4.1(1) ["Eligibility"]:

Add paragraph (e):

Constitutional Amendment Proposal Text
<ul style="list-style-type: none">• Paragraphs (c) and (d), above, only apply to Full Members as defined in 4.2.1

RATIONALE

Brendan has proposed a full revamp of membership levels, which has triggered other discussion. I don't feel confident putting forward big changes here, so I am proposing something minimal for now. In contrast to most of the constitution, the National Council can, at any time of the year, use Article 4.3 to add further categories of membership, so this could be done incrementally as necessary.

3 Policy motions

PM-1 Distributed Digital Currencies and Economies

Put by: Policy Development Committee.

RATIONALE

This policy seeks to “expand civil and digital liberties”, into the realm of cryptocurrencies, which we consider to be a fundamental “freedom of the emergent global information society”. We consider it a necessary policy component to “represent the emerging digital society” and a key instance of “finding new ways to promote trust between citizens”.

MOTION

To accept the proposed Distributed Digital Currencies and Economies Policy.

Preamble

Distributed digital currencies such as Bitcoin¹ (also referred to as cryptocurrencies) are an emerging and potentially highly disruptive technology, and are the subject of numerous official inquiries around the world.²³⁴⁵ Existing payment methods carry significant risks - such as the need to for consumers share credit card details - and also impose dead-weight middle-men costs. Digital currencies offer a solution to these issues and a potential diversity of new financial services.

Digital currencies allow the population of a country to avoid potential currency devaluation as a result of fiscal and monetary policy. Consumers will also benefit through a reduction of risk in their online purchases and lower transaction fees as middle-men are removed. Digital currencies also offer much to retail businesses. Existing payment systems are structurally unsuited to online transactions: paying online with a credit/debit card involves divulging card details to a slew of interested parties, with all costs associated with poor practices or fraud falling on the retailers, and ultimately on consumers. Organisations which directly wear the costs of poor security (the vendors) are also not the organisations with the power to increase the security of the system (the banks and payment services). Distributed digital currencies correct this issue inherently and are structurally more secure.⁶ They eliminate the need to divulge account details and ensure vendors have access to incoming funds immediately with no risk of fraud.

Pirate Party Australia anticipates a large future for the general distributed currency concept, but to be successful Australia needs to actively engage in its development. Pressure from incumbent financial organisations seeking to restrict competition must be resisted, as self-exclusion will deny Australia potentially enormous benefits.

Policy Text

- Support the development of new technology businesses.
 - Ensure clear guidelines and a suitable regulatory environment are available for businesses.
 - Treat restriction of basic banking services to crypto-currencies businesses as an illegal restriction on trade, excepting where trade poses financial risks to the bank.
 - Ensure crypto-currency businesses with control over customer funds are subject to equivalent regulation to banks.
 - Ensure crypto-currency businesses without control over customer funds are not subject to traditional banking regulations, but are encouraged to self regulate.
- Change tax regulation to support distributed currencies in the broader community.
 - Re-define digital currencies from a commodity to a currency for tax purposes.
 - Count digital currency gains through 'mining' or speculation efforts as capital gains.

ADDITIONAL EXPLANATORY INFORMATION

New Business Development

Entrepreneurial startup businesses are innovating rapidly to explore and establish this new way to conduct financial transactions. There are already Digital Currency exchanges, ATMs, mobile phone smart wallets and retail payment services. Pirate Party Australia foresees great potential for:

- Flexible escrow services, for instance to support delivery of goods purchased online in a manner that is trustworthy and reliable for both consumer and vendor.
- Micro-payment services, supporting ideas like paying a few cents for a good news article or risk management services to help you avoid purchasing from unscrupulous online businesses.
- Smart contracts implemented as executable programs on the crypto-currency distributed ledger, that are self-enforcing.⁷ More generally, it needs to be understood that "currencies" are just one application of the underlying technology.⁸ The essential core of this new technology enables distributed networks of trust through shared cryptographically secured digital ledgers. They eliminate the need to trust corruptible central authorities, or to rely on system-wide secret keys or methods that may be leaked.

This leads to other target purposes, that are critical to the long term health of the digital economy:

- Distributed Voting, so we can self-organise without fear of corruption,
- Distributed Conveyancing, so we can all agree on ownership,
- Distributed Reputation systems, so we can know who to trust and for what purposes,

- Distributed Insurance systems - so we can spread our risks, without giving too much away.

Pirate Party Australia supports the development of new technology businesses. Australia must create a suitable regulatory environment or else these business developments will go overseas. In 2014/5, it is already happening.⁹ Australia must provide clear guidelines that allow legitimate Digital Currency businesses to proceed with certainty.¹⁰

Pirate Party Australia understands that the existing strong regulatory environment for banks is largely determined by the need for public trust in central financial institutions. Many new crypto-currency businesses will want to have control of their customers' funds, because it allows them to profit by investing those transient funds as part of their cash flow management. Such businesses must continue to be regulated like banks. They must have currency reserves and must be publicly audited to ensure trust. Other crypto-currency businesses will want to operate on a pure service-for-fee basis, without control over customer funds. The only public concern is that they provide the value for service that they promise, just like any other business. In the world of digital currencies, almost any currency service could be implemented in either manner, purely as a matter of business strategy. On this basis, the regulatory regime must be determined on the basis of "control over customer funds" rather than any high level description of the service provided.

Pirate Party Australia takes the paired general positions that business activities involving a 'controlling interest' over customer funds, must be regulated like traditional banking services. Conversely, business activities that operate without a 'controlling interest' in customer funds, should be self regulated.¹¹

Financial Institutions

Many existing financial institutions view these technology trends as a potential future threat.¹² Commonwealth Bank and National Australia Bank have policies to blanket deny banking services to Bitcoin businesses, regardless of the legitimacy of their business, or any specific risk to the bank. Smaller financial institutions watch this trend with interest, as a potential future means for them to leapfrog the big players. Many banks have projects to develop crypto-currency based solutions for their internal and inter-bank payment systems. So, on the one hand, banks raise the spectre of risks and threats, while on the other hand they investigate its potential for greater internal efficiency in their own businesses.

Pirate Party Australia appreciates that banking is inherently a service industry and further, that it is almost entirely an information service industry, and therefore at risk of future dis-intermediation. We consider that bank policies that seek to restrict basic banking services to crypto-currency businesses where there is no risk to the bank, should be considered to be an illegal restriction on trade. This is an anti-trust issue. Established monopolies should not be allowed to use their control to prevent new business developments.¹³

Taxation

The Australian Tax Office does not want Digital Currencies to become a widespread means for laundering currency or avoiding taxation. Their current rulings on Digital Currencies are based on their reading of the current Australian laws relating to currency and the GST laws in particular.¹⁴¹⁵

The current ATO ruling (as of early 2015) is that Digital Currencies are a commodity¹⁶¹⁷ and as such, transactions in those currencies are barter so:

- GST currently applies to their purchase. GST also then applies to goods or services purchased with Bitcoin, essentially double taxing the consumer.
- “Remuneration paid in bitcoin will be subject to FBT where the employee has a valid salary sacrifice arrangement, otherwise the usual salary and wage PAYG rules will apply.”
- Any employee paid in bitcoin would be liable for Fringe Benefits Tax at the maximum rate (46.5, shortly to be 47%), instead of PAYE tax rates, except where an explicit Salary Sacrifice arrangement is in place.

Pirate Party Australia advocates that Digital Currencies should be defined for taxation purposes, to be distributed currencies rather than commodities.¹⁸ There should be no taxation penalty for being paid in digital currencies. Digital currency gains through “mining”¹⁹ or speculation efforts should count as capital gains.

Concern has been expressed about the potential misuse of crypto-currencies for tax avoidance or money laundering. This concern can be considered in contrast to the use of cash transactions for similar purposes. The ATO already has considerable powers to investigate anybody that is apparently living above and beyond their means, precisely because people could be transacting anonymously using cash. The introduction of digital currencies allows a degree of freedom to transact autonomously and remotely (that is hard with cash), but digital currencies also have the benefit to tax departments, of having a distributed public ledger, meaning that they are usually more traceable than cash. In both cases however, someone may accumulate a store of value, but to use that value means exposing themselves through interactions with legitimate businesses.

PM-2 Digital liberties (update)

Put by: Policy Development Committee.

RATIONALE

This is an update to the existing Digital Liberties policy. It now refers to the reality of data retention instead of the potential risks. We consider it to be strongly aligned to the constitutional principles of Pirate Party Australia. It addresses the very first line “Pirate Party Australia strives to protect and expand civil and digital liberties” of the constitution.

MOTION

To replace the existing Digital liberties Policy with the proposed Digital liberties Policy.

Preamble

The grassroots nature of the Internet is causing considerable disruption to traditional power structures.²⁰²¹²²²³ Unsurprisingly, this is leading to push-back: corporate and government entities have been trying for years to increase control over the Internet through a range of measures including censorship, reduction of access, treaties to reduce the rights of Internet users, and ever-broader surveillance and monitoring powers.²⁴

Attempts to control the Internet take different forms over time, but all are justified through references to crime and other undesirable activities. They also all share one critical flaw: they are easily evaded by those with technical knowledge. They ultimately reduce the freedoms of the public while doing nothing to curb criminal behaviour. The Pirate Party will always defend the founding principles of the Internet, and resist any and all attempts to control it. A fast and free Internet, open to all, is a safeguard not just for our economy and culture, but for our basic rights.

Net neutrality

Net neutrality is a fundamental principle behind the development of the Internet. It ensures that the Internet is free and open to all by preventing gatekeepers from blocking, speeding up, or slowing down content based on the source, destination or owner. Net Neutrality guarantees that even the smallest entrepreneurs have the same access standards as established firms.²⁵ The absence of such a guarantee would represent a perpetual threat to generations of new entrants.

Content providers and ISPs have undermined net neutrality by seeking to differentiate among different forms of information and data flow, and impose priorities. Abandoning Net Neutrality and subjecting Internet traffic to a commercial veto will hurt competition and innovation, and allow service providers to preference or block protocols and force consumers to use less desirable options.

Free, open and non-discriminatory access to the Internet is essential for our democracy and for our economic well-being and the Pirate Party will seek the adoption of clear net neutrality principles to protect the Internet from the introduction of any discriminatory practices.

Data retention

Surveillance of the public is expanding constantly, and has reached a point which threatens essential trust between the state and the citizen.²⁶²⁷

Recent legislation has been forced through parliament which expands surveillance beyond anything seen before. The National Security Legislation Amendment Bill obliges ISPs to spy on their customers and retain telephone and Internet data for 2 years. This is a gross invasion of privacy and will create a vast database of material,

which a range of agencies will be able to access freely and without any warrant. The database will pose little threat to criminal activity, since many technical avenues currently exist through which data retention can be avoided. However, metadata provides an immense amount of information on the most private and intimate details of innocent people's lives, and access is currently unchecked by any meaningful oversight. Free expression and the normal conduct of society are unacceptably curtailed when people can have no expectations of privacy and separation from the state.

This comes on top of recent revelations showing that Australians are already subject to an array of secret, warrantless spying on emails, chats, photographs, documents and website addresses.²⁸²⁹³⁰ Such spying again poses little threat to terrorists: terrorist forums are not indexed by most search engines and do not inhabit the servers targeted by the PRISM program.³¹ However, mass-trawling of personal data poses a significant threat to the liberties of the global public. Unrestricted surveillance of the public combined with total obscurity for the state is untenable. Far more legitimacy, trust, and effectiveness will be earned by applying proper oversight and inbuilt protections for civil liberties, including proper use of warrants.

Censorship

Internet censorship proposals create a permanent infrastructure for web blocking, and connect it to a permanently shifting category of banned content. The RC classification has been altered frequently by parliament and has become patchwork and inconsistent.³² We believe that the government should look to adequately funding law enforcement, removing illegal content and prosecuting those responsible for the manufacture of the material, rather than funding a filter that slows connection speeds, is liable to wrongly block websites and is easily circumvented.

Households may choose censorship programs for their own use, but that is the prerogative of parents: they must be permitted to make decisions for their own families, and the government should trust them to do so responsibly.

New copyright-based censorship proposals come on top of existing, secret web blocking mechanisms. Section 313 of the Telecommunications Act has been used by officials to block access to around 250,000 legitimate websites to date, with no application of oversight and accountability.³³³⁴³⁵ We believe the rampant misuse of this provision warrants its removal, with any replacement clause to be subject to proper consultation and higher legislative standards.

Policy Text

Provide universal access to a fast, neutral Internet

- Institute a common carriage agreement and legal protection for Net Neutrality, and ban the practice of screening, or prioritizing traffic based on packet sources or destinations, unless
 1. The default package offered to the user of an ISP contains no such screening or prioritising; and

2. The user can opt-in to a package that will prioritise certain types of traffic by protocol or destination.
- Allow exceptions in the case of a court order.
 - Allow generic prioritisation of traffic based on protocol types defined by the IETF.
 - Support fibre-to-the-premises infrastructure projects to help build a vibrant digital society.

Install explicit protections for privacy and digital rights

- Oppose mandatory censorship and web-blocking architecture.
 - Repeal the National Security Legislation Amendment Bill (No.1) 2014.³⁶
 - Oppose any moves to implement mandatory data retention, and require warrants for access to any data held by ISPs.
 - Repeal the Broadcasting Services Amendment (Online Services) Act 1999.³⁷.
 - Repeal the Communications Legislation Amendment (Content Services) Act 2007.³⁸.
 - Delete section 313 of the Telecommunications Act.³⁹.
 - Ensure no criminal offence applies for linking on the Internet.
- Prevent warrantless monitoring of internet use among the general public.
 - Oppose and repeal any legal mechanisms enacted to create records of Internet use among the general public.
 - Records obtained through such schemes to be securely deleted.
 - No authorisation for unnecessary data collection.
 - Replace the Cybercrime Act⁴⁰ with more appropriate legislation for the digital age.
 - Conduct an independent review of the Telecommunications Interception and Access Act⁴¹ to ensure digital liberties are properly protected.
 - No future access to phone or internet metadata without a warrant.
 - Ban practice of agencies obtaining private information on Australian citizens through the NSA or other offshore surveillance not subject to Australian protections and laws.
 - Anti-terrorism practice to emphasise greater use of informants and targeted infiltration.
- Ensure individuals have a legally protected right to control data collection on devices they own.
 - Control should cover duration data is retained for, encryption and sending of data, and when data is deleted.
- Ensure no penalties apply to individuals who refuse to provide passwords or assist in decrypting information (in line with existing legal practices regarding self-incrimination).

PM-3 Cultural Policy

Put by: Policy Development Committee.

RATIONALE

This policy pro-actively addresses the very first line of our constitution “to protect and expand civil and digital liberties, social equality and freedom of culture”. It’s goal is to expand the function of libraries; one of our core cultural institutions that has been under attack in recent times. It seeks to expand the role of these intellectual freedom zones to limit the influence of the “Overbearing and restrictive private monopolies” referenced in our constitution. It enhances “free culture, civil liberty and intellectual rights”.

MOTION

To accept the proposed Cultural Policy.

Preamble

Culture is at the heart of human identity. From the cave paintings to the poetry that was copied and sent to soldiers in the trenches, culture has been something shared - a social glue and a bond between individuals and their societies. Shared expression creates shared experience and values and has allowed the human race to progress.

In modern times, technology changed the way in which culture was produced and experienced.⁴² The rise of mass-production in the nineteenth and twentieth centuries opened the way for new forms of distribution, but also created a means for the owners of industrial mass production to increasingly control and restrict access. Laws around intellectual property grew which treated culture as something to be restricted, monetised and controlled by vested interests. As technology progressed however, the ability to mass produce in the digital realm has shifted cultural modes back to their historical norms,⁴³ opening the way to a boom of grass roots cultural production and a golden age of shared experience and artistic production.

Attempts by some to freeze in place the centralism and artificial scarcity which governed culture in the 20th century will fail,⁴⁴ because cultural sharing is an innate part of human experience and human nature. In addition, the damage to the cultural commons as a result of 20th century copyright policy is enormous,⁴⁵ as is the cost for dealing with it.⁴⁶ However, it creates a question which must be taken seriously: where culture is freely available, how will artists be paid and supported? Artists, writers and film-makers are a critical part of society, and revenue must be available to encourage the creation of product for society’s benefit.

Pirate Party Australia believes this can be facilitated in several ways. Pirate Party supports a basic income guarantee which will provide a universal support to artists. This can be built on with a wave of investment to create new cultural hubs for the community. These new hubs will expand the role currently played by libraries⁴⁷ and

provide free facilities for creation of music and art.⁴⁸ They will also be places where legal obstacles such as digital rights management restrictions can be overcome. Many obsolete forms of Digital Rights Management (DRM) hamper archivists who seek to engage in digital archiving and preservation of physical and museum content.⁴⁹ To directly support artistic creation, we will also establish a new fund to sponsor artists and invest in the creation of films, literature and visual art. Finally, we will seek to provide smaller live music and performance venues with tax breaks as a way to reverse the decline in such facilities and recognise their cultural importance.

We will also stand firmly behind public broadcasting in Australia. Pirate Party Australia will oppose any attempt to sabotage the independence and broadcasting standards of the ABC. The ABC is one of Australia's few highly trusted institutions.⁵⁰ Its capacity to reach a diverse national audience and its high focus on cultural programming make it especially important to Australia's artistic and cultural communities. A complete subordination of Australia's media landscape to commercial interests and the political agendas of their owners would be undesirable for anyone who supports independent media and the growth of Australian culture.

Open, participatory culture and investment in our artists will unleash a creative boom for Australia.

Policy Text

Develop a network of facilities to support development of art and culture

- Provide \$500 million from the Asset Recycling Fund to support expanded library facilities.
 - Funding will be allocated by an independent board charged with assessing grant applications and ensuring all proposals are openly accessible to the public.
 - Applications will be assessed on local area population, community need and outcomes of consultation, and quality and innovativeness of proposals.
 - Proposals will be required to maintain and respect traditional library functions.
 - Projects may include development of maker spaces, sound booths, expanded premises, content digitisation and online availability and other cultural and community benefits.
- Provide additional legal protections to libraries to enhance their cultural value.
 - Allow free use of patented material and full availability of copyrighted material under a Creative Commons Attribution license within physical and digital library spaces.
 - Allow library users to utilise these freedoms subject to a mandate to make materials thus created available under a creative commons license within the library's physical and digital spaces.
 - Maximise public library efficiency by ensuring that digital works become instantly available in any branch (e.g. using filesharing technologies).⁵¹
- Ensure libraries maintain, store and make available public records in a standardised format.

- Ensure libraries provide storage and computation resources to process open data public records. This might include cloud resources, hosting services, and other services to ensure useful access to such content, by any library user.
- Expand the Archival role of libraries
 - Mandate that any DRM protected product for sale in Australia has an obligation to hand over keys or other mechanisms required to access it in its totality, after either termination of copyright or termination of sale.
 - The disclosure will be to the National Archives until termination of copyright, and held in confidence until it enters the public domain.
- Allow disused private property for use by libraries
 - Private property which is disused and empty should be usable by the commons to create a Library.
 - Library would function as a regular tenant, but would not pay rent. If a use is found for the property, the library must shut down or move.
 - Property under use as a library is not subject to squatting laws.

Expand funding and venues for artists

- Provide \$1 billion from the Asset Recycling Fund to sponsor Creative Commons licensed artistic endeavour.
 - Funds will be separated into streams to invest in independent films, games, visual art, and literature.
- Expand current tax exemptions applying to “cultural organisations”.
 - Extend the “Music” category to cover facilities essential to live music, including small-capacity live music and performance venues.
 - Extend the “Literature” category to cover book and cultural exchanges which provide low-cost literary and cultural material to the general public.
- Provide a central location for artists online containing information for exhibiting, performing, and displaying art, as well as significant, free hosting for exhibiting and displaying digital and digitised art.

Secure Australia’s public broadcasting

- Protect public broadcasters and their boards from political interference.
- Maintain base funding to domestic public broadcasters at 2012 levels (with adjustment for inflation).

PM-4 Foreign policy and treaty making (update)

Put by: Policy Development Committee.

RATIONALE

This policy proposal updates the existing Foreign Policy. These changes introduce a core strategy of defensive (as opposed to offensive) development of our military, since to do otherwise, would be against our core principles of “free culture and civil liberty”, in relation to the citizens of foreign nations. The changes also strengthen our stance on treaty making, with specific reference to their use to secretly compel

Australian legislative directions without proper public or parliamentary consultation. Treaties established in this way are an offence to our constitutional principles of “free culture and civil liberty” as well as our constitution objection to political corruption and our support for open and transparent democratic processes.

MOTION

To replace the existing Foreign policy and treaty making Policy with the proposed Foreign policy and treaty making Policy.

Preamble

Australian foreign policy should focus less on imperial entanglements and more on embodying principles of law and human decency. Civil and digital liberties, transparency, and human rights are universal principles and should be embodied in foreign and domestic policy alike. Indeed, foreign and domestic spheres are often difficult to separate, with international treaties having potential to drive domestic lawmaking.

Treaties and diplomacy

Like all legal mechanisms, treaties derive legitimacy through consent and consultation. For this reason, treaties such as ACTA and the Trans-Pacific Partnership have drawn concern due to the intense secrecy surrounding their formulation and negotiation. Serious investigation of purported ‘free trade’ treaties has often shown they are nothing of the kind, and offer few economic benefits⁵² relative to the costs they impose, which can include insidious protectionism in the form of longer copyright and patent terms,⁵³ higher medicine prices,⁵⁴ imposition of surveillance,⁵⁶ significant additional complexity for exporting firms, and curbs on national sovereignty.⁵⁷ Pirate Party Australia supports direct dismantling of tariffs and trade barriers as a better alternative to preferential trade treaties.

Pirate Party Australia will also push governments to make better use of diplomatic channels, and in particular to register a stronger response to recent revelations of massive and warrantless monitoring by the US National Security Agency. Australians are being subjected to offshore monitoring on a massive scale with no access to appeals or accountability. The notion that allies can be treated as suspects with no rights is harmful both to domestic sovereignty and broader international relations. One method of safeguarding the liberties of internet users will be to ensure that foreign whistle blowers offering information relevant to the public good are granted protection under Australian whistle blower laws. Another will be to ensure that foreign intelligence and surveillance facilities operating in Australia are subject to some form of Australian oversight. We also believe negotiations should also commence on a new treaty to enshrine the principles of the internet and protect the rights of its users.

Defence and regional stability

Defence is also an important aspect of overseas engagement. Australia's defence strategy is blurred by confused objectives and competing demands.⁵⁸ The fundamental purpose of national defence sits uneasily with the counter-demand for participation in overseas wars, which have often undermined Australia's security. The purpose of defence is blurred further still by laws which allow the use of defence forces against civilians on domestic soil (in the name of protecting 'Commonwealth interests').⁵⁹ Defence needs greater transparency and to be purely dedicated to the safeguarding of Australian territory and people. This will open the way for a far more optimal use of defence resources and a more self-reliant global stance.

As an ocean-surrounded nation, Australia is well placed to maximise the benefits of submarine defence. Modern submarines are enormously powerful defensive tools⁶⁰⁶¹⁶² which, by some estimates, require an investment ratio of more than 100:1 (meaning every dollar spent on submarine capability requires at least \$100 for an aggressor to counter).⁶³ Oceanic defence can be backed up with reliable, affordable aircraft and a well equipped army which will increase the scale of forces an invader would need to commit. Pirate Party Australia supports investment in high quality, 'asymmetric' capability designed to raise the costs of attacking Australia. Pirate Party Australia does not support investment in force structures based on invasion and occupation. We do not believe it is necessary to expand defence spending to 2 per cent of GDP, and oppose the associated wasteful spending on flawed joint strike fighters,⁶⁴ large and vulnerable warships,⁶⁵ and long-range bombers.

Outside of direct military force, Australia can enhance its broader security in other ways. Australia should remain active in regional peacekeeping, and direct a greater share of defence resources towards regional engagement.⁶⁶ This will facilitate trade and investment and provide channels to manage regional issues such as asylum seekers. Australia should also do more to meet its Millennium Development Aid targets in order to foster regional development and stability. This could be done by re-allocating the latest funding bloat allocated to 'national security' and data retention and directing it to aid instead. Aid funding can also be freed up by implementing the recommendations of numerous inquiries to reduce waste and dead-weight costs in the defence bureaucracy.⁶⁷⁶⁸

Where aid is deployed, the aim should be to foster human rights and humanitarian causes in a manner which is consistent with long-term improvement of local conditions. Aid has sometimes been structured to benefit business and producers in the donor countries - with potentially negative effects upon the recipient countries.⁶⁹⁷⁰⁷¹ As an example, the increase in US rice delivered to Haiti as food aid in the wake of the disastrous earthquake of 2010 has put further pressure on local producers already struggling after years of their market being flooded by cheap, heavily subsidized US rice and very low tariffs imposed by the IMF.⁷²⁷³ This practice should cease, with aid focused first and foremost on providing a path to local development and freedom from poverty.

Policy Text

Support principles of transparency and openness in treaties and trade agreements

- Ensure treaty negotiations are subject to oversight and public participation.
 - Require a window for public participation and the availability of draft texts prior to signing.
- Conduct a constitutional referendum to require parliamentary oversight and consent in treaty making and other international instruments.
- Renegotiate or withdraw from treaties which unduly restrict policy including:
 - Treaties which bind Australia to economically harmful intellectual property laws. These include the Berne Convention, WIPO Copyright Treaty (WCT), Anti-Counterfeiting Trade Agreement (ACTA), Agreement on Trade Related Aspects of Intellectual Property Rights (TRIPS), and Australia-United States Free Trade Agreement (AUSFTA).
 - Treaties which oblige Australia to adopt failed models of drug prohibition. These include the Single Convention on Narcotic Drugs, the Convention on Psychotropic Substances, and Convention Against Illicit Traffic in Narcotic Drugs and Psychotropic Substances.
 - Treaties which disadvantage Australian businesses by offering special parallel legal systems to foreign-owned firms under the guise of investor-state dispute settlement.
- Ensure Australia complies fully with all treaty clauses which protect individual rights.
 - Remove exceptions granted to Australia which potentially reduce the capacity of the International Covenant on Civil and Political Rights (ICCPR) to protect Australian citizens.⁷⁴
- Ban inclusion of investor-state dispute settlement provisions and ensure foreign businesses retain equivalent legal protections to domestic businesses.
- Begin negotiations on an international treaty to enshrine net neutrality, freedom of the internet from state control, and protection for private communication, free expression, and unrestricted access to information.

Improve defence transparency and focus

- Focus defence on safeguarding Australian people and territory.
 - Prioritise investment in “sea denial” (submarines supported by unmanned underwater vehicles), informational warfare, and intensive regional engagement.
 - Remove prime ministerial authority to commit Australia to war and ensure military engagement requires parliamentary approval with two-thirds support in both houses of parliament.
 - Repeal the Defence Legislation Amendment (Aid to Civilian Authorities) Act.⁷⁵
 - Ensure the Defence Trade Controls Act⁷⁶ does not restrict academic freedom or any right to encryption.
- Improve transparency of defence operations.
 - Subject foreign intelligence and surveillance facilities in Australia to parlia-

mentary oversight.

- Review national secrets files and release all material which is not operationally important.
- Enact recommendations of the DLA Piper Review⁷⁷ to protect defence personnel from abuse and misconduct.
- Reduce costs and prevent “white elephant” projects.
 - Place funding for future capability into a separate budget, with spending subject to open tenders and public oversight.
 - Enact recommendations of First Principles Review⁷⁸ to reduce defence bureaucracy, enhance strategic focus and improve efficiency.
 - Sell non-critical defence land and buildings to reduce maintenance costs and fund future capability.

Expand use of diplomacy and aid in support of global human rights

- Increase foreign aid to 0.5 per cent of GDP within two years to meet Millennium Development Goals.⁷⁹⁸⁰
 - Expand provision of generic medicines (see patents policy), and prioritise areas such as childhood nutrition, universal education, environmental preservation, and access to contraception and immunization.
 - Ensure local producers are not disadvantaged by dumping of aid products, with local suppliers of goods and services to be used where practical.
- Support political asylum or subsidiary protection status for overseas whistleblowers per provisions of Article 14 in the Universal Declaration of Human Rights.⁸¹
- Suspend extradition processes and law enforcement cooperation in cases where:
 - Only political offences have been committed.
 - The act being investigated is not an offence in Australia.
 - A death penalty could potentially apply.
 - The nation involved has not ratified the United Nations Convention against Torture.
- Utilise diplomatic and political channels to seek urgent clarification from nations that Australia has intelligence sharing arrangements with regarding the scope of monitoring of Australian citizens.

PM-5 Health Policy

Put by: Policy Development Committee.

RATIONALE

We introduce a brand new policy position on Health. The health system itself is not a core area of concern in pirate politics, but the manner in which it is implemented, most definitely is.

We are constitutionally opposed to:

- “Overbearing and restrictive private monopolies constructed via regimes of antiquated, unfair and unbalanced laws which prevent the free development of

culture and ideas are detrimental to financial, economic and cultural outcomes for the citizens of Australia.” and

- “The Party seeks to have these values reflected in the laws and institutions of Australia.”

This policy addresses how we should improve the health system in Australia, in line with these principles. It deals with citizens right to privacy in matters of health and it makes connections with our existing pharmaceutical patents policies as a path to greater efficiency.

MOTION

To accept the proposed Health Policy.

Preamble

Pirate Party Australia believes that ensuring universal access to affordable, high-quality health care is a core responsibility of government. However, with resources tight it is necessary to accomplish this by improving the quality and priorities of existing spending, which already accounts for around 25% of overall federal, state and local government revenues.⁸²

Making better health affordable

The trend of rising health expenditure in many countries partly reflects growing demand due to the increasing effectiveness of clinical practice informed by ever more sophisticated medical research and technology.⁸³ However, rising costs may also be driven by rent-seeking in an industry which is often far removed from the economic ideal of a free market due to high entry barriers and large information asymmetries.⁸⁴ Thus, a key role of governments is to enforce effective regulation to protect patients from over-servicing, price-gouging and treatments which lack a solid evidence base. Ideally, the regulatory framework should allow maximum flexibility for medical staff, and avoid undermining the intrinsic, non-monetary motivations of health professionals.

Ideological cost-shifting between public and private sources should not be a priority for health reformers. Rather, the goal should always be to minimise the total public and private cost of achieving our desired health outcomes. This can be done partly by removing the private health insurance rebate, which, by most estimates, provides poor value for its \$5 billion per year cost. Removal of pharmaceutical patents and their replacement with alternative research incentives will also lower health costs by reducing medicine prices to a fraction of their current value, creating huge savings for hospitals, patients, and everyone who has ever bought over the counter.⁸⁵

A greater focus on improving preventative practices and addressing homelessness, drug abuse, and domestic violence will pay off significantly, with a 2013 Senate report noting that, “by addressing the social determinants of health that are the genesis of many health problems, the costs to government of providing healthcare can be reduced, and individuals can enjoy better health outcomes”.⁸⁶ Vaccinations

are also an important pillar of preventative practice, with the available science clearly showing that compromised herd immunity represents a threat to the entire population. Efforts at harm prevention are reckoned to be particularly effective at reducing the likelihood of chronic illness, which often require highly complex treatment regimens.⁸⁷

We also believe the fragmented nature of Australia's health system, with responsibilities split between federal and state governments, requires reform in order to reduce perverse incentives to minimise costs within each funding silo instead of minimising the overall cost of treatment. In order to improve accountability and co-ordination, we advocate financial support for general practitioners to take on the role of designated treatment coordinator⁸⁸ for patients, particularly where patients have complex chronic conditions.

Plugging the gaps

Australia's health system faces several old challenges and several new ones.

Pirate Party Australia supports the ongoing roll-out of the NDIS — although continued consultation with carers and patients will be needed to maximise the benefits. Pirate Party Australia would support the NDIS by making items purchased for disability support tax-free. We also believe mental health efforts within the NDIS may need additional direct support. Mental illness is creating an epidemic of suffering — not only for the mentally ill themselves but also their family, friends and the wider community. Suicide is the leading cause of death for Australians between the ages of 15 and 45,⁸⁹ and the fact that mental illness is itself a significant risk factor for physical ill-health means that better resourcing of treatment for the former often pays for itself by savings for the latter. A priority is to improve coordination of services to ensure that recovering patients have stable and appropriate housing, with access to ongoing support. Mental health advocates also stress the potential for better coordination between agencies to improve outcomes and reduce costs.⁹⁰

While most Australians can afford dental treatment and have adequate dental health, severe and chronic dental health issues have become concentrated among some lower income groups, with around one-third of Australians receiving no dental care at all.⁹¹ While some have called for a universal dental scheme, the Australian Dental Association has warned against it on the grounds that thinly rationed coverage across the board will prove unnecessary for the majority and insufficient for those in greatest need. Pirate Party Australia instead supports a model which focuses intensive resources on the poorest and most needy, and thereby achieves better outcomes at less overall cost. A dental plan can be easily funded out of savings from removing the Private Health Insurance Rebate.

Australia should also do more to avert the risk of growing resistance to antibiotics.⁹² Antibiotics for treating human infections are quite closely regulated in Australia, but better public education would help further reduce the number of unnecessary prescriptions for antibiotics. Pirate Party Australia also supports better monitoring of growth promoters in animal feed⁹³ and antibiotic residues in imported fish and animal products.

Data and IT infrastructure

Pirate Party Australia supports moves by the Federal Government to establish a national system of electronic health records, provided strict privacy safeguards are enforced. Once in place, such a system promises to provide better medical care at a lower cost by avoiding duplication of diagnostic tests and by reducing the incidence of medical errors. The data gathered, once suitably anonymised, will be of great value to researchers for epidemiological and other studies, and free access should be maximised with public funding of the necessary IT infrastructure. At the same time, to avoid an incentive to falsify medical records, the public must be assured that the data gathered cannot be used to discriminate against them, for instance by employers or insurance companies.

Policy Text

Undertake measures which ensure best-value for money in the health system

- Abolish pharmaceutical patents and substitute a “bounty” system to support pharmaceutical research (see patents policy).
- Provide financial encouragement for parents to vaccinate their children (see tax and welfare policy)
- Remove private health insurance rebate and utilise savings (of around \$5 billion) to support other policy priorities.
- Revise health budget guidelines to ensure public subsidies for health services are determined by:
 - The seriousness of the patient’s illness or injury,
 - The proven effectiveness of the treatment,
 - The financial capacity of the patient,
 - The wider public benefit (e.g, “herd immunity” resulting from immunisations),
 - The opportunity cost for the rest of the health system.

Support general systemic improvements in Australia’s health system

- Provide additional \$2.5 billion annually to the public health system to manage any increased patient need resulting from lower private health coverage.
 - Base fund allocations on existing funding ratios.
- Improve privacy safeguards for electronic health records (see civil liberties policy).
- Conclude development of a national system of electronic health records.
 - Ensure personal files incorporate strong cryptographic protection, and utilise a format easily processed with standard, free software.
- Trial a new annual payment for GPs to coordinate the care of patients with complex treatment needs.

Undertake new measures to close gaps in health coverage

- Provide \$2 billion per year to fund Australian Dental Association recommendations on improving dental health.
 - Fund direct service provision for those currently lacking access to dental care, including people facing financial disadvantage, people in remote areas, the elderly, children of health card concession holders, and those with special needs.
 - Increase incentives for dental students to accept rural placements by expanding the existing scheme for medical students.
- Support preventive and promotional health initiatives and integrate dental care into Australia's health plans.
- Provide \$500 million to support initiatives to curb homelessness, including:
 - Direct investment in expanded accommodation services for mentally ill people facing homelessness;
 - Seed funding to extend successful community programs including Common Ground⁹⁴ and Journey to Social Inclusion.⁹⁵
- Establish a national centre to coordinate Australia's response to antibiotic resistance.

PM-6 Energy, Environment and Climate Change (update)

Put by: Policy Development Committee.

RATIONALE

We introduce changes to the existing Energy policy.

Pirate Party Australia is constitutionally opposed to "Overbearing and restrictive private monopolies". The existing energy regulatory and financial systems surrounding energy production seem to be designed to prolong the existence of our existing CO2 producing coal power generation, while providing very little incentive for the disruptive but cleaner renewable solutions. This policy seeks to turn this on its head, by supporting a more distributed "prosumer" energy marketplace, fundamentally improving the efficiency and cost, while reducing environmental impact.

MOTION

To replace the existing Energy, environment and climate change Policy with the proposed Energy, environment and climate change Policy.

Preamble

While the environment is perpetually changing, there is a risk that enormous changes imposed in a very short period of time may have a destabilising effect on our planet's ecological balance and life support systems. In the absence of a second planet, it is sensible to apply a precautionary principle in our dealings with the environment. Pirate Party Australia supports efforts to reduce carbon emissions and

pollution. We also support investments in our continent's unique environment which will preserve it for future generations.

Climate change and renewable energy

Research and development and technology export are at the heart of combating global climate change. Global energy markets are approaching a point of deep change. Prices for on-site production and storage of energy will soon 'cross over' with the price of traditional grid power, making renewables cheaper than the status quo for a growing number of global consumers.⁹⁶ This will allow consumers to become "prosumers" – energy users capable of independently generating their own power. Pirate Party Australia believes we should accelerate towards a system in which energy markets are democratised in this way. We want to see a freer market in which consumers directly compete with utilities.

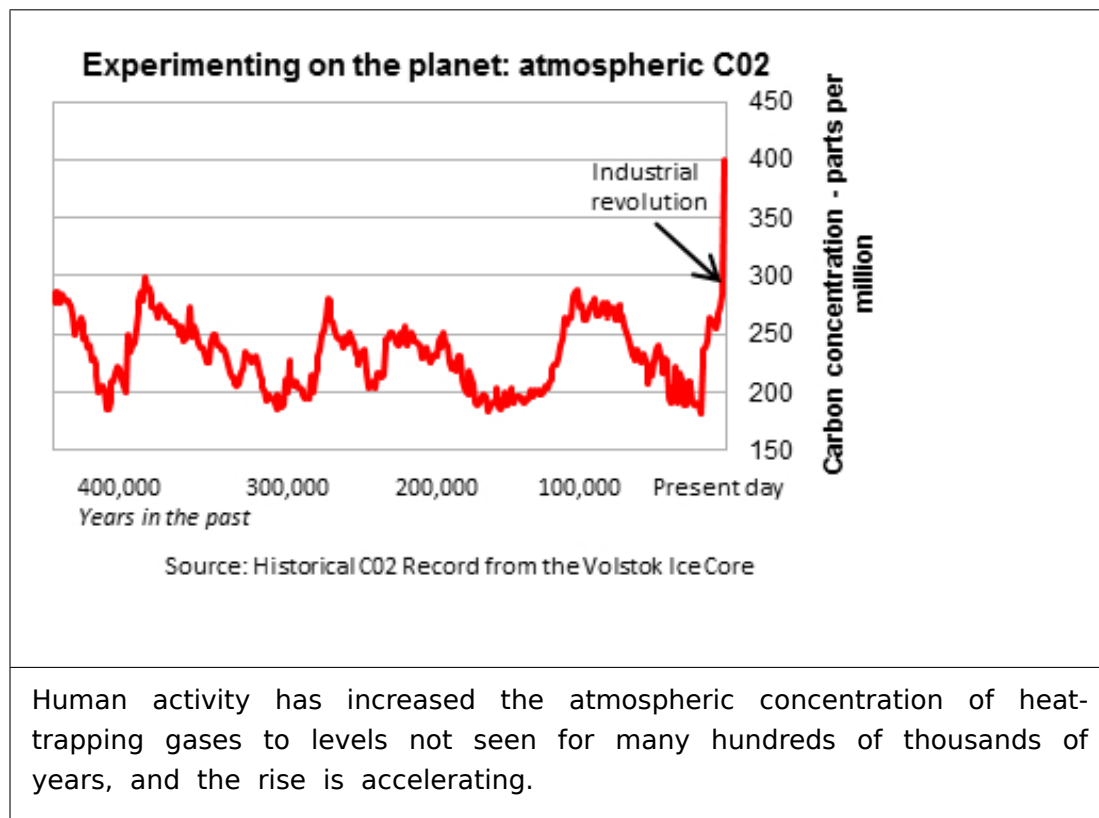
Accordingly, Pirate Party Australia will seek to utilise resources currently allocated to the Emissions Reduction Fund and re-invest them in research and development of clean energy and on-site generation. We will also seek to improve the regulatory environment by removing regulations which hinder independent power generation. Consumers should be freer to enter markets, and utilities should be deregulated to enable them to adopt leaner "probabalistic" power models and new services such as trading platforms between distributed energy producers.

These efforts should build on an existing platform of carbon pricing. Carbon pricing is desirable as long as revenue is matched with equivalent tax cuts in other areas. A carbon price creates or sharpens incentives for efficiency and investment all across the economy, and a fixed price provides the certainty needed to support long-term investment.⁹⁷ Pollution is the embodiment of privatised profits and socialised losses, and carbon pricing will ensure coal mining repays some of the costs it imposes on national water reserves, agriculture, and general public health.⁹⁸⁹⁹¹⁰⁰¹⁰¹

Pirate Party Australia believes we should act to reduce global emissions as well. We will seek to increase the rate of technology export to developing countries. We will also apply a small carbon price on exported emissions by requiring that coal exporters purchase carbon offsets through the UN Clean Development Mechanism (CDM). CDM offsets offer an exceedingly cheap way to protect forests in developing countries, fund technology exports, and directly destroy highly potent heat-trapping gases such as HFC-23. The low price of these projects means a two dollar levy can fund a full offset of exported emissions at no cost to Australian taxpayers.

Pirate Party Australia remains open to final extensions in other measures including the Renewable Energy Target but believes our domestic climate change policies should ultimately simplify and converge on straightforward carbon pricing supported by R&D and technological improvement. Improved technology will offer magnifying benefits over time. A distributed grid open to "prosumer" competition will yield lower power prices in the long run due to greater competition, removal of wastefully long power lines and falls in demand spikes which will allow utilities to adopt more efficient models. The communities of the future will be self-sufficient, and individuals will be freer to act directly on climate change when political action falls short.

Policies which drive clean technology will create thousands of skilled jobs across our regions, and accordingly represent an important economic reform.



Preserving Australia's ecology

Management of our environment needs to be more holistic in future. Cases such as the Murray-Darling system show that ecosystems are too deeply interconnected to be managed in different ways across state borders.¹⁰² Future management can be improved through the development of tools such as a national Biodiversity Matrix, which will provide planners and the general public with a unified information source on our land and ocean ecosystems. The broader environmental approvals system itself can be improved by ensuring approvals are overseen by a fully independent authority operating free of political interference.

Pirate Party will also support practical measures to improve biodiversity on the ground. We will seek to both expand national parks and ensure that groups and communities have more avenues to assist with maintenance and management. We will also seek to re-allocate funding allocated to supporting 'green cars' - this funding is no longer required now that the automotive industry is leaving Australia. We will seek to utilise this funding for more direct environmental purposes, including support for community groups engaging in land management and containment of feral animals. We will also seek to expand investment in scientific research to develop longer-term solutions to the feral animal problem.

Pirate Party Australia supports a robust agricultural industry in Australia. We believe the needs of farmers should be prioritised over activities such as coal seam gas (CSG) extraction, which is being undertaken from a position of profound ignorance

regarding its impacts on rivers, groundwater, and food security. Given the evidence of fugitive emissions leaks and other unforeseen impacts,¹⁰³ a moratorium is necessary until more meaningful evidence is available to demonstrate that extraction can be done safely and without undue impacts on rural communities.

Questions of ecology and energy adjudicate between the rights of current and future generations. Communities and policymakers need access to the most open scientific framework possible to help inform difficult environmental questions.

Policy Text

Offset and reduce carbon emissions

- Expand investment in technological improvement and community power.
 - Re-purpose the “Emissions Reduction Fund” (ERF) to the CSIRO and ARENA to sponsor additional research and development in clean technology and power storage.
 - Ensure technology developed with public funding is made freely available to developing countries.
 - Extend Clean Energy Finance Corporation loans to support community power start-up costs and grid connections.
 - Amend AEMC rules to ensure power purchase agreements, solar services agreements, virtual net metering and other forms of decentralised grids are viable and available.
 - Begin negotiations with states for a merged, national solar tariff.
- Strengthen existing measures and price signals.
 - Restore a carbon tax with pricing set to the 2014-15 level and price increases fixed at CPI + 5% p/a.
 - Provide free permits to coal-generated power stations only where grid stability is at stake.
 - Provide a final extension in the Renewable Energy Target (RET) to 70GWh by 2025.
 - Increase the number of renewable certificates offered for generation at peak periods to encourage baseload renewable generation.
 - Include waste-to-energy in RET certificate allocations.
 - Remove waste levy exemptions applying to coal power.
 - Levy thermal coal exporters \$2 per tonne of exported coal.
 - Revenue will be used to to purchase carbon offsets through the UN clean development mechanism.
 - Require transparent disclosure of energy ratings for all buildings.
 - Adopt EU 2020 vehicle fuel efficiency standards including the passenger vehicle target of 95g CO₂/Km by 2023.
 - Form a panel of government and industry representatives to develop a plan for roll-out of electric vehicle (EV) charging stations and development of an Australian standard for EV rechargers.¹⁰⁴
 - Offer assistance to private operators who wish to operate recharging stations through the Clean Energy Finance Corporation.

- Create a corporation with joined State and Federal Government ownership to lease recharging sites on public land.

Improve land management to protect biodiversity

- Expand the environmental oversight of the federal government to cover mining approvals, rivers and water areas, and national parks.
 - Provide independent statutory status to areas overseeing environmental approvals.
- Cancel 'automotive transformation scheme' and re-allocate funding to sponsor environmental improvements.
 - Provide \$50 million to develop a Biodiversity Matrix to classify nationwide land and ocean ecosystems and species distribution.
 - Information collected will be published, and will inform land use changes, development approvals, and management of biodiversity issues and national parks. The Environment Department will be required to conduct regular updates of threatened species information, with at-risk species listed as "notifiable" in legislation.
 - Provide \$50 million in additional funding to the Barrier Reef Trust.
 - Provide \$100 million to sponsor endangered species plans and community group projects including sanctuaries and land management initiatives.
 - Provide \$50 million to support long-term research and adaptive management aimed at curbing feral cats and foxes.
- Expand and improve national parks.
 - Increase national park thresholds to cover 15% of land in Australia, with a representative sample of at least 80% of regional ecosystems protected in each bio-region.
 - Review national park legislation and remove restrictions on volunteerism and community engagement in improving parks.
 - Amend Environment Protection and Biodiversity Conservation Act to insert specific requirements for accountability and monitoring of Recovery Plans.
- Protect agricultural and farming land.
 - Grant landowners rights to refuse exploitation of coal and coal seam gas deposits on land they own.
 - Permanently ban extraction and exploration of coal and coal seam gas around prime farming land, water catchment areas and aquifers.
 - Apply a moratorium on new coal seam mines and additional use of existing mines in metropolitan areas, with periodical reviews to assess evidence and present recommendations on the scientific case for lifting or modifying the moratorium.

PM-7 Education (update)

Put by: Policy Development Committee.

RATIONALE

The policy proposal is an update to the existing education policy. Primarily, it extends it to incorporate a National Science Plan. Pirate Party Australia constitutionally supports “free development of culture and ideas” and “intellectual rights reform”. This new National Science Plan seeks to undo the slashing of science funding in Australia, and thereby support the development of the ideas that will define our future together. It proposes to do so in a manner that provides incentives for individual researchers to commercialise their discoveries, rather than imposing bureaucratic restrictions on their activities.

MOTION

To replace the existing Education Policy with the proposed Education Policy.

Preamble

Education is a powerful determinant of well-being. It is a source of wealth, a provider of life skills, an enabler of participation, and a core component of civil society. The 2000 Dakar World Education Conference noted that all young people have the right to an education that includes “learning to know, to do, to live together and to be”.¹⁰⁵

Billions of dollars have been allocated to the Asset Recycling Fund, which provides incentive payments to states to encourage the sale of public assets. Pirate Party Australia would re-purpose some of this funding and invest it directly in Australian science and education. We will also enact reforms to make the benefits of education and research more available to the community.

Early childhood education

Early childhood education is crucial to a child’s development in later life. We will seek to provide a means for parents to play a greater role in childcare by trialling a system of childcare cooperatives based on successful overseas models.¹⁰⁶ A co-op system will provide a means for willing parents to combine resources and provide low-cost or free childcare by taking turns as carers and volunteers. This will provide social opportunities to new families and their children, and will also reduce pressure on the existing childcare system.

School education

The principle of free, secular and compulsory schooling held sway for decades in Australia. However, recent changes have shifted the funding balance away from public schools, and towards private and religious schools.¹⁰⁷ Justified in the name of choice, this change has actually reduced choices for many by leaving entire postcodes lacking any comprehensive public schooling.¹⁰⁸ The growth of taxpayer funded private

schools is creating a two-tiered system in which students from families unable to pay private school fees are concentrated in the increasingly under-funded public system. The cost of this is evident in Australia's low and falling ranking in global measures of performance among disadvantaged students.¹⁰⁹¹¹⁰ Private schooling also reduces academic performance in other ways: students are increasingly segregated along religious lines, and increasing numbers of taxpayer-funded religious schools are actively refusing to meet educational standards in areas such as science education.¹¹¹

Pirate Party Australia believes that the flow of taxpayer funding towards religious and private schools should be checked. A return of private school funding to the 1996 level will free sufficient funds to fully implement Gonski recommendations in the public system. At the same time, we will seek to make public schools more accountable to their communities. Centralised micro-management needs to be reduced, and control over administration, hiring and funding vested in principals and school boards, with boards made open to parents. We will also seek to trial a funding mechanism to allow schools to "bulk-bill" costs of after-school instruction so that qualified experts can be engaged to teach in areas of interest chosen by students and parents. This will allow public schools to offer niche and special-interest education, and provide more tools to overcome disadvantage.

Pirate Party Australia will increase the focus on teaching life skills and entrepreneurialism to students prior to Year 10. We will also seek to reduce some of the institutional pressure placed on students to remain at school after Year 10, since forcing unwilling students to stay ultimately leads to the disruption of more engaged students. Students wishing to study at TAFE after Year 10 will be enabled to do so, with student funding following them.

Tertiary education

Tertiary education is increasingly important as we shift towards a more knowledge-based economy. While student numbers continue to rise, growing evidence exists of a troubling deterioration in standards and academic morale in universities. This manifests in various ways: approximately half of academics have been assessed to be at risk of psychological illness due to insecurity and overwork,¹¹² while two thirds believe academic freedom is being curtailed.¹¹³ Higher education has suffered from efforts by successive governments to force it into a top-down, corporatist structure. This is an inappropriate form for an education system and one which has led to increasing stultification and surveillance, with demands for corporate style messaging eating away academic freedom of speech. The drive towards pseudo-measurement of educational outcomes has imposed unprecedented administrative costs, with administrators and managers now outnumbering academics (who nonetheless face increasing demands to conduct administration).

The impacts of corporatised education are uniformly contrary to what is intended. The narrow emphasis on vocational education is creating graduates unfit for many jobs - employers have raised issues with serious deficits in team work, creative thought and communication.¹¹⁴ Administrative burdens imposed in the name of quality assurance are driving down quality by drawing resources out of teaching

and research. Attempts to quantify educational outputs obscure more than they reveal. And the lowering of standards to accommodate overseas students is reducing Australia's attractiveness as an international student destination.¹¹⁵

Genuine transparency means accountability to the general public, not to a corporate structure. We believe that publicly funded academic research should be made freely available to the public and no longer locked up behind publisher paywalls. We also believe in enhancing the quality of academic work by following the advice of academics themselves, who urgently seek higher per-student funding and greater autonomy. We will also expand the current shift towards digital education. Digital education is an important resource for the poor, for people in remote locations, and carers and people with disabilities.

Fundamentally, we view education as a pillar of civil society rather than a money making commodity, and believe campuses should be encouraged to play a greater role in the community. Passion, curiosity and freedom to speak and question are key curbs to unhindered power, and a successful university system should embody those traits.

Science and research

The knowledge and advancement gained through science is fundamental to human well-being and the emergence of modern society. Most economic growth in modern societies is the product of advances in science and technology, and OECD research suggests public investment in science pays off many times over. Businesses¹¹⁶ and leading scientists have long called for Australia to adopt a national Science Plan.¹¹⁷¹¹⁸ Australia is the only OECD nation to lack one, and researchers in this country face a crippling combination of under-funding, poor collaboration among research bodies, and erratic grant periods. A Science Plan provides a useful mechanism for addressing these issues and laying out a foundation for long-term and collaborative research. It will also provide a pathway for more effective resourcing and a broadening of our research profile into areas such as space research which offer potentially enormous benefits.¹¹⁹

Efforts are also needed to address Australia's very poor record of business and educational collaboration.¹²⁰ Overseas experience suggests voucher programs represent one of the best ways to address issues of this kind. These programs release vouchers to small businesses, which they can use to purchase services from education and research bodies.¹²¹ Vouchers are then paid out by the government. This both raises overall research funding and encourages long-term relationship building between sectors. Collaboration can also be supported by allowing researchers at government bodies to personally own patents on their research. In places such as Germany, this has enabled entrepreneurial researchers to spin out and start new businesses, adding vibrancy to the private sector and breaking down barriers between private and public spheres. ¹²²¹²³

Policy Text

Improve provision of community based childcare

- Provide certification processes and a one-stop information service for the setup of childcare cooperatives.

Foster well-funded, dynamic and secular public schools

- Reallocate federal education funding:
 - Progressively reduce quantum of funding to private schools to match 1996 levels, with allowance for private schools to transfer or sell land and assets into the public system.
 - Abolish the school chaplains program.
 - Direct funding towards full implementation of Gonski reforms as part of a needs-based funding system.
- Change school accountability frameworks:
 - Abolish existing paperwork accountability systems and provide schools with control over finances including management of bank accounts and purchases.
 - Support the establishment of principal networks to encourage the spread of effective systems.
 - Allow students 16 and over to transfer to TAFE and provide vouchers to offset fees.
 - Trial a bulk billing scheme for extracurricular activities including tutoring from outside experts in areas determined by students and parents.
- Provide stronger support and incentives to teachers:
 - Ensure trainee teachers receive a minimum of 12 weeks supported classroom time.
 - Allow ongoing salary progression for teachers with more than 10 years of experience.
- Include a solid foundation of life skills and personal development within the National Curriculum:
 - Grades 1-4 to cover behaviour towards others, people skills, and exploration of science and critical thinking;
 - Grades 5-6 to develop earlier material and additionally cover sex education, conflict resolution, and ethics;
 - Grades 7-8 to develop earlier material and additionally cover accidents and emergency response, civics and voting, budgeting, basic IT skills, careers and starting a business.
 - Abolish Special Religious Instruction in public schools and limit religious study to comparative religion in the context of history, culture and literature.
- Enact a pilot program to distribute open source, low cost, 3D printers to interested high schools.

Support academic autonomy in tertiary institutions

- Impose benchmarks to guarantee the use of public funds for academic salaries, teaching material and research.
- Expand full-time academic positions targeting a maximum student-teacher ratio of 20:1.
 - Guarantee study leave, research time, and fieldwork in academic contracts.
- Restore academic control over course and research funding, course design & outcomes, unit guides, marking, workload allocation, hiring, and teaching choices.
- Defund administrative functions and organisations associated with monitoring, surveillance, government reviews and data collection.
 - Abolish standardising and rigid templates.
 - Abolish code of conduct restrictions on academic speech.
 - Limit the Tertiary Education Quality and Standards Agency to an advisory role.

Increase educational resourcing and outputs

- Reallocate \$350 million per year from the Asset Recycling fund to support a 20 per cent increase in base per-student funding.
 - Ensure a portion of this funding is directed to restoring access and equity measures for poorer students, as well as provision of counselling and childcare services.
 - Replace the lifetime FEE-HELP limit with a maximum loan cap, offset by repayments.
- Institute Open Access provisions for publicly funded academic, peer-reviewed, journal articles produced within universities.
 - Make all articles freely available to the public without paywalls or publisher restrictions.
- Promote increased use of campuses for community seminars, live events and public debates.
- Increase provision of free online courses, and encourage greater use of online infrastructure to reduce course costs and improve budget sustainability.
- Encourage greater course-driven interaction between students and businesses or community groups.
- Apply full whistle-blower protections to users of Unileaks and similar outlets.

Develop an Australian Science Plan

- Improve co-ordination among science bodies.
 - Establish an Innovation Board comprising researchers, government and industry representatives to draw together existing programs, develop research and innovation priorities and monitor Science, Technology, Engineering and Mathematics (STEM) progress.
- Improve public understanding of science.
 - Provide an online portal for use by schools and the general public, with permanent streaming and free download of publicly owned science and science education programs.
 - Require every primary school to employ at least one teacher with specialised

STEM skills.

- Improve conditions for researchers.
 - Align disparate grant processes and link grant periods to requirements of the research.
 - Recommence the International Science Linkages program.¹²⁴
 - Provide an online portal to facilitate researcher access to alternative funding sources, including crowdfunding.
 - Allow researchers working within government bodies to own patents on their research.
- Re-purpose funding allocated to the Asset Recycling Fund to directly support scientific research.
 - Provide \$500 million in additional annual funding to Australian research bodies in line with priorities identified in the Science Plan.
 - Provide \$50 million in additional annual funding to the CSIRO to support fundamental research.
 - Engage Australian Academy of Science to develop a long-term plan for funding and operation of Australian research infrastructure facilities.
 - Provide \$100 million for one-off development of space infrastructure recommended in the NCSS Decadal Plan.
 - Establish a National Institute for Space Science to co-ordinate infrastructure and projects and seek global capital.
 - Provide \$50 million to fund a distribution of “innovation vouchers” to interested small businesses.
 - Vouchers will enable businesses to acquire up to \$50,000 worth of research and related services from certified research bodies.
 - Undertake additional research in pharmaceutical development (see patents policy), renewable energy technology (see environment and climate change policy) and mental health research (see drugs policy).

PM-8 Civil liberties (update)

Put by: Policy Development Committee.

RATIONALE

This policy updates the existing Civil Liberties policy. It extends protections within the Victorian Abortion Law Reform Act 2008 nationwide, to provide baseline legal abortion services across Australia. It recommends the repeal of the National Security Legislation Amendment Bill (No.1) 2014.

We believe that these changes are in line with Pirate Party Australia’s constitutional support for civil liberties.

MOTION

To replace the existing Civil liberties Policy with the proposed Civil liberties Policy.

Preamble

Civil liberties are the core of civil society and an essential balance to state power. History records a long fight for liberty, with even basic rights such as freedom from slavery, freedom of speech and freedom from torture won with great difficulty and frequent reverses. As individuals have become more empowered in the digital age, co-operation and trust between citizens and the state has become increasingly important, and respect for liberty is crucial to maintenance of this trust. The historical truism that security is not won through the sacrifice of liberties has never been more true than in the digital age.

Freedom of speech and related rights

The greatest reformers, scientists and philosophers in history started out as heretics. The right to speak out against dogma and consensus underpinned the enlightenment and built a world in which ideas could be attacked in place of people. Speech is a fundamental human right and the safeguard for all other liberties. It protects not just our right to speak out, but our related right to hear and judge ideas. It underpins our ability to think, create, innovate and progress.

Censorship is the wrong response to offensive expression. Advocates of censorship often treat “hate speech” (however defined) as so powerful that its mere expression must be prevented. Counter-speech is seen in the opposite light – so powerless that only censorship can balance the scales. Historically, though, the opposite is true: racism and other offensive ideas lost the most currency in the freest societies. More speech has long proven to be the best antidote to hate speech. Censorship laws are counter-productive because they undermine the process of debate and education, are highly prone to abuse, and inject dangerous subjectivity in the legal system.¹²⁵¹²⁶¹²⁷¹²⁸¹²⁹¹³⁰ Governments given the power to criminalise opinions rarely stop at one,¹³¹ and as views change, laws which gag speech can all too easily become a technique for repression of minority opinion. History has long shown the folly of belief in the idea that censorship – which has underpinned state oppression throughout history – can be an answer to oppression today. The failure of states such as the Weimar Republic (which operated under a morass of hate speech laws) show the terrible risks of pushing hateful speech underground instead of exposing it to debate.

Pirate Parties around the world oppose censorship as an ineffective, dangerous and counter-productive practice. Laws which restrict speech, thought, conscience and assembly must be subject to consultation, measurement of costs and benefits, and a meaningful assessment of threats. Fundamental principles warrant evidence-based policy.

Justice

It is important that our legal system err on the side of civil rights and free speech. Recent counter-terror laws which weaken the burden of proof and loosen thresholds for detention, search or seizure represent a threat on this front,¹³² and Pirate Party Australia has long called for their removal.

Australian courts should also be required to apply stronger journalist shield laws, since the absence of sufficient protections poses a significant threat to press freedom.¹³³¹³⁴ Protections need to cover not just sources, but the informational content which sources pass on, and which may be used to identify them. The power of inquiries to publicly expose sources should also be curbed since such compulsion threatens the very forms of journalistic investigation which have so often been essential to inquiries launching in the first place.

We believe the legal system should embody the secular principle of one law for all, applied to all persons equally. The Pirate Party does not support parallel legal systems and other forms of law which impose differential standards on different groups.

Privacy

Privacy is an essential underpinning of human dignity and free expression. It encompasses not just physical privacy, but the freedom to control your cultural presence, and manage the information and identity that surrounds you. The fundamental balance of power between citizens and their government is altered when states or their representatives have the power to abolish privacy. A free society cannot function without the protection of a person's private life, and intrusive surveillance is toxic to trust.

For this reason, recent privacy-invading laws governing compulsory metadata collection must be reversed (see digital liberties policy). In addition, we believe a higher threshold of privacy needs to be codified across the totality of laws in Australia. This can be done by introducing tougher legislative requirements for organisations retaining data, and improving options available to individuals seeking to protect their personal privacy. We will seek to support this further by introducing a new tort to cover intrusions into seclusion and misuse of private information.

Control over the body

No liberty is more fundamental than the right to live free of pain and physical torment. Support for voluntary euthanasia is not a statement of any kind on the value of life. It is merely respect for choice, and for the right of persons to make decisions for themselves in light of their individual circumstances. While safeguards are necessary, adults of sound mind and facing terminal illness should have the right to end their lives with dignity and peace. Political office should not be used to force private religious views onto other people. Bans on voluntary euthanasia create a painful legacy of suffering, lost dignity, and the sacrifice of choice.

Policy Text

Institute new legal protections for free speech and related rights

- Legislate the International Covenant on Civil and Political Rights into law.
- Restore the role of human rights commissioner with a mandate to focus on civil liberties and freedom of speech, expression and assembly.

- Offer a referendum for a bill of rights focused on individual liberties including speech and assembly (see Bill of Rights policy).
- Improve safeguards in counter-terrorism mechanisms.
- Reform classification and classification review boards.
 - Implement a co-regulatory model where industry classifies their own content and Government works with industry to determine classification ratings.
 - This system will be akin to European PEGI model or American ESRB model of voluntary classification for media.
 - Unclassified content will be restricted for sale to adults only.
 - All classification guidelines must be transparent and published, in accordance with the principle that a classification scheme should be used for consumer awareness and not censorship.
 - Abolish the Refused Classification (RC) rating from the classification system.
 - Content that is illegal under the law will continue to be disallowed for sale, distribution or presentation.
 - Change the role of the Classification Board to be an advisory and review role, renaming it to the Australian Classification Ombudsman, which would review the guidelines and investigate complaints about media which is incorrectly or poorly classified.
- Ensure the government and its representatives provide vigorous defence of free speech in international forums and negotiations.

Increase legal protections for privacy

- Enact higher standards of privacy protection for entities holding private data.
 - Ensure entities complete Privacy Impact Assessments (PIAs) encompassing binding data security safeguards.
 - Require government agencies and private organisations to report data breaches.
 - Subject substance testing in the workplace to mandatory PIAs with requirement for consultation with affected persons and assessment of whatever risks the testing is intended to address.
 - Provide affected persons with explicit information on purpose of the tests, procedures to be employed, and use of information.
- Enact additional protection for individual privacy in the public sphere.
 - Institute recommendations from the Australian Privacy Foundation on providing a right to recourse following an invasion of privacy.¹³⁵
 - Subject publication of private data in the media to a public interest threshold, ensuring no restrictions apply where reporting is consensual or relevant to performance of public office, corporate or civil society, credibility of public statements, illegal, corrupt or anti-social behaviour, or a significant event.
 - Apply complaints mechanisms and legal sanctions where the public interest threshold is not met.
 - Ensure the office of the Privacy Commissioner is subject to periodic performance and function reviews by a member of the judiciary.
 - Provide a legal right for members of the public to appeal Privacy Commissioner decisions.

- Institute tighter controls and accountability covering use of visual surveillance.
 - Require organisations conducting surveillance to state the purpose of surveillance and identify recipients of surveillance information, with mandatory periodic destruction of surveillance material.
 - Legal sanctions will apply for breaches, with exceptions granted subject to judicial oversight.
 - Decommission surveillance programs where abuse is identified or objectives are not met.
 - Require judicial oversight of undisclosed surveillance in public or private places.
- Establish expert panel to review the adequacy of laws and legal protections applying to the collection, use and storage of biometric data.
- Remove body scanners from Australian airports.
- Implement the Australian Privacy Foundation recommendations¹³⁶ to create a single tort covering both intrusion into seclusion and misuse of private information.¹³⁷
 - Ensure tort is subject to a public interest test and is actionable only by natural persons.¹³⁸
 - Ensure the tort is prescriptive in defining high- and low-water marks for examples or classes of acts that are or aren't covered, in order to reduce potential conflict between freedom of speech and privacy.¹³⁹
 - Discretion in interpreting objectives of the tort would otherwise be left to courts.
 - Allow action by aggrieved parties, their family or estate, or by relevant commissions for up to a year from the point of discovery, with remedies to include damages, apologies and injunctions.

Improve equality and transparency in the legal system

- Strengthen shield laws for journalists in the court system.
 - Remove any compulsion for journalists to reveal sources in court, with narrow exceptions where courts determine that a public interest of greater importance than journalistic freedom is served.
 - Extend protections to cover confidentiality of communications and information received from sources.
 - Extend court-related shield laws to also cover public inquiries.
 - Narrow the scope of subpoenas public inquiries can impose to ensure a high standard of relevance applies.
- Restrict use of suppression orders in criminal trials.
 - Limit suppression orders to protecting national security and the identity of victims, witnesses, or persons under physical threat.
 - Ban any use of suppression orders to prevent discussion of other suppression orders.
- Ensure no legal standing is extended to alternative arbitration systems, dispute resolution mechanism and other “parallel” legal practices.

Enshrine freedom over the body in law

- Ensure all persons have full and free access to their personal medical records.
- Ensure all persons have the right to issue binding health directives to apply in the event of subsequent mental disability.
- Extend protections within the Victorian Abortion Law Reform Act 2008 nationwide, to provide baseline legal abortion services.
- Enact a law legalising euthanasia and decriminalising assisted suicide subject to:
 - An application process and seven day cooling-off period.
 - A requirement that patients be:
 - Over 18 and mentally competent, and Supported by three doctors, including:
 - A consultant/senior physician in a relevant field of expertise to confirm terminal illness, and
 - A psychiatrist to certify that the patient is not affected by treatable depression.

Remove existing laws which impose censorship or restrict privacy

- Repeal the National Security Legislation Amendment Bill (No.1) 2014.¹⁴⁰.
- Repeal section 18C of the Racial Discrimination Act¹⁴¹, ensuring that pre-existing common law protections are sufficient to manage all cases of intimidation and harassment.
- Repeal anti-sedition clauses (schedule 7) from 2005 Anti-Terrorism Act .¹⁴²
- Repeal the Intelligence Services Legislation Amendment Bill 2011.¹⁴³
- Abolish residual blasphemy laws.
- Oppose state laws which grant governments the unilateral power to restrict freedom of assembly for specific organisations.
- Repeal the Classification (Publications, Films and Computer Games) Amendment (Terrorist Material) Bill 2007.¹⁴⁴
- Repeal the Classification (Publications, Films and Computer Games) Amendment Bill (No. 2) 1999/2001.

PM-9 Tax and welfare (update)

Put by: Policy Development Committee.

RATIONALE

This is an update to the existing Digital Liberties policy. It now refers to the reality of data retention instead of the potential risks. We consider it to be strongly aligned to the constitutional principles of Pirate Party Australia. It addresses the very first line "Pirate Party Australia strives to protect and expand civil and digital liberties" of the constitution.

MOTION

To replace the existing Tax and welfare Policy with the proposed Tax and welfare Policy.

Preamble

Australia's tax and welfare systems have grown so complicated that they are almost impossible to understand.¹⁴⁵ Our tax system has grown to encompass more than 120 taxes,¹⁴⁶ and the complexity conceals growing distortions which favour speculation and hurt work and saving.¹⁴⁷ It also imposes huge inefficiencies, forcing more than two thirds of taxpayers to file returns through tax agents.¹⁴⁸ and imposing deadweight losses of over \$20 billion on the economy every year.¹⁴⁹

The welfare system faces similar problems: it has grown in ad-hoc fashion to encompass more than 20 separate payments, each with different means tests, sub-payments, administrative arrangements and compliance regimes.¹⁵⁰ Administrative costs for tax and welfare run to over \$5 billion annually, and over \$80 billion is "churned" (collected as tax and then returned to the same taxpayers as welfare) each year. Recipients leaving welfare for work often face a combination of large benefit cuts and income tax, which can lead to effective losses of more than 70% of earned income.¹⁵¹ Our systems thus punish the drive to be self-sufficient,¹⁵² and radical change is needed to prevent the growth of inter-generational poverty in Australia.

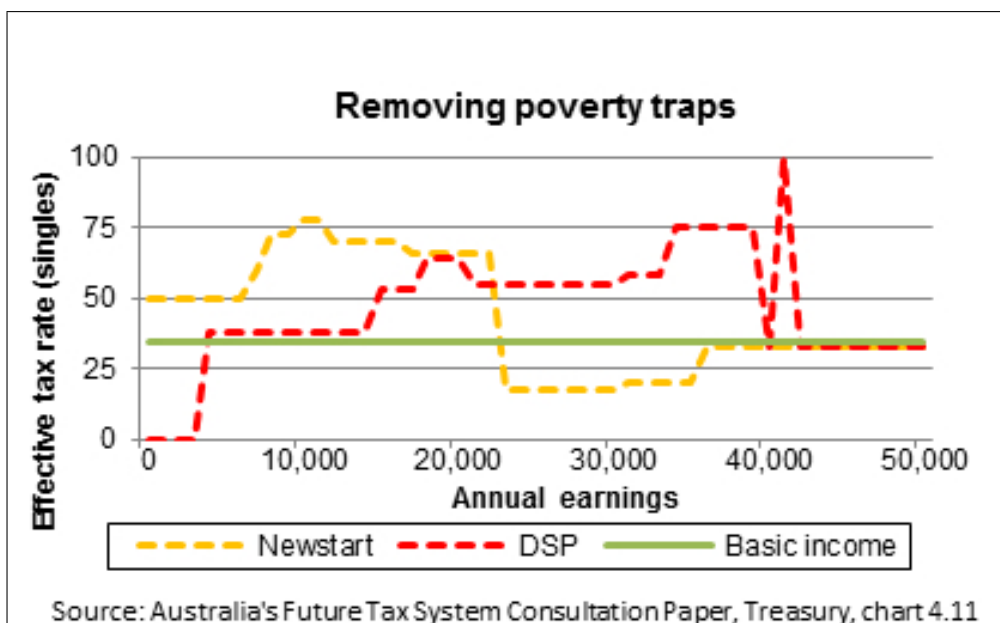
Basic income through reverse taxation

The advance of digital technology potentially threatens vast numbers of jobs,¹⁵³ making it increasingly urgent to reduce tax on labour to keep it competitive. At the same time, a host of issues around transparency, bureaucracy and misaligned incentives need to be addressed. Ultimately, what is required is a comprehensively different model of tax and social support.

Pirate Party Australia proposes a replacement of current systems with a unified tax and welfare system underpinned by a negative income tax. Negative income tax is tax in reverse - money paid by the government to those with low or no taxable income. It is social support provided directly through the tax system rather than through a separate welfare system. The Pirate Party plan is for a tax threshold of \$37,500 in conjunction with a tax rate of 37.5%. Under this plan the first \$37,500 of earnings will be tax-free, with a tax rate of 37.5% applied on earnings above that. However, people earning less than \$37,500 will receive 37.5% of the shortfall transferred to them from the government in the form of negative income tax. Thus, persons earning nothing at all are guaranteed a basic income of just over \$14,000 (representing 37.5% of the \$37,500 by which they fall below the threshold). All thresholds and levels would then be indexed to inflation to preserve their value. The following examples show how income is modified under a negative income tax:

Income before tax	Tax threshold	Gap between income & threshold	Tax rate	Change in income	Income after tax	Effective tax rate
\$0	\$37,500	-\$37,500	37.5%	+\$14,062	\$14,062	0%
\$27,500	\$37,500	-\$10,000	37.5%	+\$3,750	\$31,250	0%
\$37,500	\$37,500	\$0	37.5%	Nil	\$37,500	0%
\$47,500	\$37,500	\$10,000	37.5%	-\$3,750	\$43,750	7.9%
\$100,000	\$37,500	\$62,500	37.5%	-\$23,437	\$76,563	23.4%

A basic income system will provide a platform beneath which nobody can fall. It will ensure nobody can be forced into exploitative work or abusive domestic conditions under the threat of homelessness and poverty.¹⁵⁴¹⁵⁵¹⁵⁶ Low, unstable wages will be stabilised and topped up, smoothing the path for those seeking to improve their skills and shift from welfare into work. A higher tax-free threshold also provides a simple and transparent replacement for the present cluttered array of thresholds and offsets. Negative income tax is a progressive tax system which currently has near-unified support among economists.¹⁵⁷¹⁵⁸ The basic income guarantee will be an enabler of “positive liberty”, granting freedom to seek education and training, volunteer, create art and culture or raise children without bureaucratic obstacles and complex payment rules. It will be a platform on which entrepreneurship and creativity can be built.



A lower and simpler tax rate can be brought about by closing loopholes and unifying tax and welfare systems. A basic income guarantee will replace complex welfare measures, clearing out poverty traps and bureaucracy.

It will also play a role in re-balancing the power of individuals with that of the state. Many forms of middle class and business activity are already supported with automatic tax credits: providing social support under the same principle will mean government can no longer take income from citizens while refusing counter-obligations to citizens whose income collapses. A simple and adaptable safety net will remove welfare 'churn' since no taxpayer will receive benefits or vice versa. This will reduce swaths of bureaucracy and save significant costs.

Balancing revenue

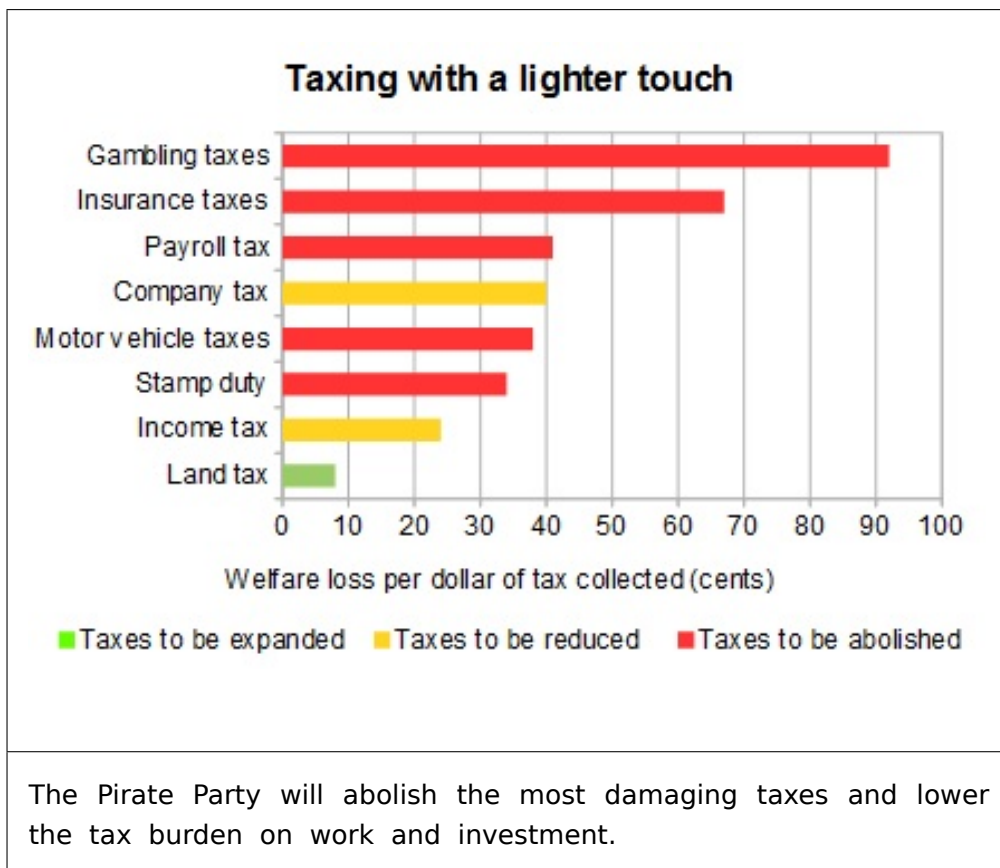
A shift to negative income tax will reduce income tax receipts by around \$30 billion per year, with the bulk of benefit flowing to low income earners. Pirate Party Australia would restore some revenue through abolition of tax breaks applied to negative gearing and capital gains. These tax breaks reward speculation and penalise work, and have helped to lock a whole generation out of home ownership.¹⁵⁹ Pirate Party Australia supports proposals to extend tax relief to businesses through a reduction in the base rate of company tax,¹⁶⁰¹⁶¹¹⁶² but believes such reforms should be paired up with abolition of fossil fuel rebates and closure of tax loopholes. Pirate Party Australia will also support a tax on carbon emissions so long as the revenue is entirely offset by reduced taxes on savings and work.

Pirate Party Australia would classify all charities as 'deductible gift recipients' in the future. This will make every charitable donation and activity tax-deductible. We will remove tax exemptions linked to 'advancement of religion', since a secular society has no grounds to discriminate between taxpayers on the basis of their beliefs.

More productive land, more productive people - reforming state taxes

State taxes are well known to be regressive and inefficient. Taxes on payrolls penalise job creation;¹⁶³ gambling taxes increase state reliance on problem gambling and create harmful policy incentives; insurance taxes lead to under-insurance and expose the economy to greater risks, and stamp duties discourage buying and selling property and prevent beneficial exchanges from occurring. Pirate Party Australia believes states should be funded differently—through a simple land value tax.

A land tax is best seen as a charge to supply government services (such as transport, infrastructure, and police protection) to a location. Where taxes on enterprise and work will tend to reduce them, land supply is fixed and taxes on it may actually provide public benefit¹⁶⁴ by encouraging productive land use. Land hoarding will end, and landholders will have strong incentives to increase the rental supply, which will cut rents. The Urban Land Institute describes land taxes as 'a golden key to urban renewal—to the automatic regeneration of a city—and not at public expense'.¹⁶⁵ Land tax is also impossible to evade and represents the most efficient and progressive tax available to governments.



Pirate Party Australia would exempt land in its natural state, and apply a per-meter tax free threshold to exclude agricultural land. We believe land tax should be applied on a progressive scale, with the highest rates applying to the most valuable land. Low-income land owners would be able to defer payments until land is sold or transferred. A land tax averaging 1.5 per cent will not unduly penalise land owners (who are seeing land value grow by over 6 per cent annually). However, it will provide enough revenue to replace a huge array of Australia's most harmful, regressive, and annoying taxes. Australia has long rewarded land speculation and taxed work and enterprise to a standstill. By taxing private ownership of a shared inheritance, we can allow people to keep the value they actually create and strengthen the incentives for work and innovation.

Pirate Party Australia believes combined tax and spending across all layers of government should be kept below 25 per cent of GDP. Deficit reduction should be accomplished through economic reform rather than higher taxes, and no reform is more important than the removal of inefficient, investment-stifling and regressive taxes. Pirate Party Australia seeks to bring about a tax system worthy of the digital age and a smaller, smarter government which frees its citizens to truly reach for life and liberty.

Policy Text

Pirate Party Australia would undertake the following staged reforms:

Combine tax and welfare into a single, fair system through a negative income tax

- Set tax rate to 37.5% with a threshold of \$37,500 (generating a basic income of \$14,062 p/a).¹⁶⁶
 - Adjust tax thresholds (and basic income) in line with inflation.
 - Time negative income tax payments to supplement regular wage payments, or transfer fortnightly to those with no income.
 - Availability of basic income will extend to persons aged 18 and over, following graduation from school.
- Ensure 'neutral' and equivalent treatment for all forms of income including fringe benefits, share transfers and dividends, earnings through interest, rental or private company income, and inflation-adjusted capital gains.
 - Phase out negative gearing over five years; allow investors to carry forward losses and deduct them from capital gains to reduce tax liability on property and asset sales.
 - Ensure superannuation contributions are tax-free, with withdrawals taxed as normal income (subject to credit where contribution tax was previously paid).
 - Limit tax exemption to charitable donations and items purchased for the purpose of disability support.
- 'Top up' the basic income in special cases:
 - An additional \$6,000 in child support to primary caregivers, with additional per-child payments reduced by 25% for each subsequent child.
 - A top-up to match existing pension levels for aged and disabled persons, veterans, and carers.
 - A top-up to match existing rent assistance for low income earners lacking public housing.
 - Taper out all "top-ups" as income rises, with top-ups removed once income reaches \$100,000.
- Apply a 2.5 percentage point levy on income over \$100,000, with a waiver where private health insurance is held.
- Use the basic income to replace existing welfare programs including Newstart, Age Pension, Austudy, Family Tax Benefits parts A and B, School Kids Bonus, Income Support Bonus, Low Income Super Contribution, the Disability Support Pension, and Carer Payments.
- Use the higher tax threshold to replace existing tax offsets for senior Australians, mature age workers, overseas civilians, entrepreneurs, low income earners, holders of private health insurance, termination payments, zone offsets, notional tax offsets, and tax exemptions for foreign employment income.

Adjust other Federal taxes to improve transparency and sustainability

- Cut the company tax rate to 25%.
 - Cap fuel tax credits at \$100,000 per year and abolish aviation fuel concessions, exploration and prospecting deductions, and all tax benefits applied to fund-shifting within corporate groups.
 - Tax trusts as companies.
- Restore a carbon price based on the 2012 model (see environment & climate change policy).

Simplify state taxes

- Abolish payroll tax, vehicle registration charges, insurance taxes, stamp duties on cars and houses, gambling taxes and existing land taxes.
- Institute a per square-metre land tax based on unimproved land value with coverage extending to owner-occupied housing.
 - Apply a per-meter tax free threshold to exclude low-value land including agriculture.
 - Encourage states to apply differential levels based on per-meter land value to produce optimal builds.
 - Ensure no tax liability applies to land which is preserved in its natural state.
 - Protect income-poor taxpayers by allowing tax payments to be deferred until land is sold or ownership is transferred.

Improve citizen and charitable focus in the tax system

- Provide secure online mechanisms to allow citizens to easily review their financial relationship with government and conduct digital tax transactions.
- Ensure data and reviews on the function of taxes and transfer systems are made public.
- Remove ATO powers to impose or enforce confidentiality clauses on taxpayers.
- Extend 'deductible gift recipient' status to all registered charities.
- Remove 'advancement of religion' as a charitable activity for the purpose of determining tax exemption.
 - Retain exemptions for non-commercial income earned by religious organisations if the organisation meets any other categories for exemption including provision of charity, education, culture, community service, or health.
- Undertake transparent annual reviews of tax policy implementation by the Productivity Commission.
 - Assessment will include impacts on income distribution, job creation, business response and unaccounted side effects.

PM-10 Declaration of platform and principles (update)

Put by: Policy Development Committee.

RATIONALE

Our policy set has expanded considerably since the original declaration was written. This new version covers the sweep of policies as they are now and does more to link them to our constitutional principles and fundamental values. It also makes explicit that our policy set has a zero cost, which should be a useful selling point for candidates in the future.

MOTION

To replace the existing Declaration of platform and principles with the proposed Declaration of platform and principles

Declaration of platform and principles

Pirate Parties have been founded all over the world with a shared purpose: to protect civil and digital liberties and create a more inclusive and creative culture. We seek to build a vibrant digital society in Australia, underpinned by freedom of culture and speech, personal privacy, institutional transparency, creativity and enterprise.

The following platform presents a detailed blueprint of reforms which implement these principles. The reforms include:

- Greater protection for speech, privacy, and personal sovereignty;
- An end to the encroachment of stifling intellectual and state monopolies and creation of a freer and more participatory culture;
- Educational reforms with a focus on developing creativity and life skills;
- State systems which embody principles of secularism and non-discrimination;
- Improved government transparency and a re-casting of state institutions: we seek a state which supports and enables, rather than one which controls and constrains;
- A simpler tax code and basic income guarantee which removes disincentives from the poor and increases the rewards for work, enterprise and efficiency;
- Greater transparency and respect for human rights in our international engagement;
- Investment in digital connectivity, community-based clean energy generation, and a strong national science plan - the critical components of an innovative 21st century economy.

Our policies focus on opening up space for creative civil society rather than expanding

the state: consequently, the financial cost of our reforms is minimal and wholly offset by savings encompassed within the policies themselves. As part of an international movement, we seek not only to reform national laws, but to reform perceptions and effect worldwide change. We seek to bring about change democratically, through activism, lobbying and parliamentary elections.

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to a currency a couple of months later... (Tax commissioner) Chris Jordan was quite clear that the ATO decided to treat bitcoin as a taxable commodity because it doesn't fit within our current definition of a currency. We don't have the legal or regulatory framework to treat it as a currency. We note that the digital currency community argues that bitcoin, and others, are used effectively as a currency - a medium of exchange. The truth is government policy needs to catch up with a technology that has already emerged and is spreading quickly." "" <http://www.timebase.com.au/news/2014/AT472-article.html> "" Many local businesses which accept Bitcoin as payment for goods or services had been hoping the internet currency would be treated under tax law as the same as money or foreign exchange. Doing so makes record keeping and taxation requirements significantly easier and it also avoids double taxation as, under the ATO's view, businesses buying digital coins will have to pay GST on the Bitcoin and on the services they offer., (Accessed 30 March 2013).

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4 Nominations

Because nominations for positions within the Party are accepted up until the relevant agenda item, the list of candidates has not been reproduced here. All nominations are available at: https://pirateparty.org.au/wiki/Pirate_Congress_2015/Nominations

National Council

- President
- Deputy President
- Secretary
- Deputy Secretary
- Treasurer
- Deputy Treasurer
- Registered Officer
- Councillor (two positions)

Officers

- Policy Development Officer
- Dispute Resolution Committee Member (one position)

5 Discussion topics

There are a number of discussion topics that we may cover.

There are three scheduled topics:

1. Membership engagement and utilisation of social media*
2. Internal party organisation and paid positions
3. Constitutional Reform for Australia

* See section 6 "Submission on increased and diversified use of social media" at end of this programme.

Further possible topics that may be addressed as time permits:

4. Senate voting reform and the Pirate position.
5. How can we be more engaging in the "real world"?
6. To encrypt or not to encrypt? That is the question.
7. What does "non-commercial" actually mean?

6 Submission on increased and diversified use of social media

Submitted by Aaron Kilpatrick.

Discussion point
<p>The purpose of this submission is to:</p> <ol style="list-style-type: none">1. Promote awareness of the Party's positions.2. Identify and recruit new blood into the Party.3. Grow and utilise existing party and member talent(s).

Currently the Party is stagnant in terms of its members and resources available (human capital). This is because the methods for involvement, growth, and continued social interactions are lacking. A new direction for the Party should be to migrate and integrate as heavily as possible with social media and the channels it provides.

This submission discusses Facebook briefly, as there are far too many things to talk about at this stage. It is important to treat this submission with urgency and embrace change for the Pirate Party to place itself where it should be.

Facebook

We are in the digital age and it is the youth of today that will be voting tomorrow. The Pirate Party has the power to position itself to become the primary party in Australia within a generation. However, this will not happen if our message is not heard by the key demographics and audiences out there today.

Simply put, upcoming voters (those under the voting age) will be heavily influenced by social media as the online/digital space is their current and future domain for social interaction and media. There is a real opportunity to start growing the social presences of the Party and its future members. If we want a real Pirate Party, then we need to start dominating the Internet and the messages it sends to Australians.

I suggest we start with Facebook and branch out from there. As time passes this will likely be the best form of political investment and engagement possible in both the short and long term, especially as it's free. If you already know what Facebook is, then why aren't we taking full advantage of its capabilities?

Facebook's capabilities

Currently there is no competition between the Pirate Party's forum and Facebook in terms of engagement and social outreach capabilities — Facebook is the clear winner.



Facebook has a number of features, including:

- events,
- calendars,
- new groups,
- a share function,
- notifications,
- new members,
- invite methods, and
- social outreach.

I have chosen not to discuss these capabilities — they are all great and if you do not understand them they can be discussed at a later time or explain on-the-spot.

Current members will spend significantly more time on social media sites that are mobile-friendly, compared to the Pirate Party's IRC channels and forum. If we properly utilise Facebook we can better fuel party engagement. Imagine the possibilities if we were all connected on Facebook as opposed to the Pirate Party forum or IRC network, with reminders, event invitations and calendars we could personally customise.

Facebook's "share" function allows people to share information, posts, news articles, and other interesting materials with other Facebook users. Whenever legislation or change appears that is aligned with or contradictory to party policy, if even half of the members shared a news article, story or image once a month within their

network there could be some real engagement on topics of concern to the Pirate Party.

Discussion point
I suggest that it would be highly beneficial and recommended for all Pirate Party members to “like” or “share” at least one update from the Pirate Party’s Facebook team per fortnight.

Facebook groups and events for each state and sub-major city would encourage face-to-face engagement. People want to be involved in an active and “real” party. For many people this means seeing faces (whether in person or an online profile picture) and knowing there are people in a similar location that they can meet to discuss Pirate-related issues. The Pirate Party forum is a worse version of Facebook — we should be discussing real issues on a social platform and inviting real people to discuss and join us in our endeavour.

Discussion point
I suggest that the volunteer groups and subgroups (Design Team, Internet Engineering Committee, Policy Development Committee, and so on) be moved to Facebook for greater active involvement and and new user contribution. Meeting and event requests can include a far more likely and reasonable expectation of what can be done and who is involved. There can also be a “central member group” with all members listed, which means there are plenty more easily and accessible options to be involved in the Party and find new talent to help us! This would also solve the issue of monthly or weekly updated/announcements.

If members spent most of their time on the Pirate Party Facebook pages rather than the forums, there would be far greater social interaction and opportunities, which I won’t list here as I’m sure you can imagine them yourself. These will in turn lead to a far greater participation rate in the many Pirate Party and related activities. Members could — and should — be a part of multiple groups. The forums should be very specific in what they are used for, and the main source of discussions should be on Facebook where possible.

This is important because:

- people who engage with any social media content may be indicating or showing alignment with the Pirate Party,
- it helps identify and find potential members; if a member “likes” or leaves a comment, then very often it is the beginning of finding those around you who share similar beliefs or interests, and
- if they can “understand” that their position is alignment with the Pirate Party,

then it can help grow the Party's position.

Parties that engage with social media effectively will position themselves to become a formidable political party in Australia. We should move to Facebook in a big way — in every way possible.